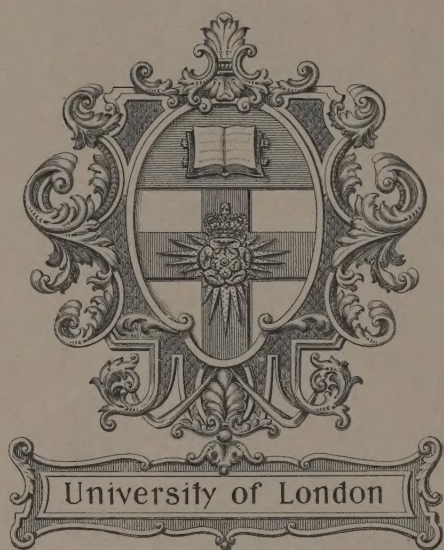
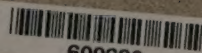






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ACCOUNTS AND PAPERS:

SIXTY-THREE VOLUMES.

— (40.) —

COMMERCIAL AND GENERAL INTERESTS, &c.

Session

31 January 1893—5 March 1894.

VOL. LXXXIX.

ACCOUNTS AND PAPERS:

1893-94.

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R E P O R T S

FROM

HER MAJESTY'S CONSULAR REPRESENTATIVES ABROAD

RESPECTING

WEIGHING, TARE ALLOWANCE, &c.,
WITH REGARD TO CERTAIN SPECIFIED
ARTICLES OF MERCHANDIZE.

*Presented to both Houses of Parliament by Command of Her Majesty.
September 1893.*

L O N D O N :

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(1)

Circular to Her Majesty's Consular Representatives at Antwerp, Hamburg, Havre, Rotterdam, Trieste, and New York.

Sir,

Foreign Office, June 2, 1893.

I AM directed by the Earl of Rosebery to transmit to you inquiries relative to the custom of the port where you reside, in the case of certain specified goods, in regard to weighing, allowance for tare, and samples. You are requested to return one set of these papers, with answers to the questions in them, in the course of July.

I am, &c.

(Signed) E. GREY.

Replies to preceding Circular.

No. 1.

ANTWERP.

Consul-General Perry to the Earl of Rosebery.—(Received July 4.)

My Lord,

Antwerp, July 3, 1893.

IN obedience to the instructions contained in Sir E. Grey's Circular despatch of the 2nd ultimo, I herewith have the honour to return one set of the papers inclosed therein.

The answers to the questions in regard to weighing, allowance for tare, &c., as practised at Antwerp, have been obtained by me from an expert attached to one of our principal English mercantile houses in this city, and I have, therefore every reason to believe that the information I forward is correct.

I have &c.
(Signed) G. R. DE COURCY-PERRY.

Inclosure in No. 1.

SUGAR.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags, cases, casks, pockets, cane baskets (Java).	Singly, to the $\frac{1}{2}$ kilog.	2 per cent. of the total number of packages tared, to $\frac{1}{10}$ th of a kilog.	Each about $\frac{1}{10}$ th of a kilog. One sample from each package.	After weighing.
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Are Goods sold at landing weights or re-weights?	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Customs; then consignees. The samples are taken by the Customs to establish the type; are after that put in a bag or cask (all mixed) and placed at the disposal of the importer.	Re-weights.	Nothing. <i>Remark.</i> For payment of the duties the legal tare is deducted as follows:— Single bags, 2 per cent. Double bags, 4 " Baskets, 8 " Casks and cases, 13 " The goods must be weighed and the type samples taken before the declaration at the Customs is made.	Type samples are taken to establish the classification. The duties are levied per 100 kilog.:— Raw sugar, 1st class, No. 15 to 18 inclusive, 48 7 + 15 per cent. " " 2nd " " 10 " 15 exclusive, 43 00 " " " 3rd " " 7 " 10 " " " 4th " under No. 7 " " " above No. 18 " Refined sugar candy, 1st class, 60 33 " " " 2nd " " 54 70 " " " in leaves " 51 13 " " " above No. 18 " 51 13 "	The duties are charges on the weight found on arrival. The samples are not included in the weight.

SILK.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Boles	Singly .. Real weight ..	Singly .. Real tare.	No samples taken.	.. .. .
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight — upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
.. .. .	Re-weight ..	Nothing ..	Duties :— 300 'fr. per 100 kilog., or 10 per cent. <i>ad valorem</i> , at the option of the importer. If declared on the weight, the weight found on arrival.	Generally the importers declare <i>ad valorem</i> .

COFFEE.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing ?
Bags, cases, casks ..	Singly, to the $\frac{1}{2}$ kilog.	2 per cent. tare on single bags, real tare on cases and casks.	1 kilog. each 100 bags ..	Before weighing
Who takes ultimate possession of the Samples ?				
The buyer	Re-weight	Nothing	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight ?	General Remarks.
			Duties:— 10 fr. per 100 kilog. on the gross weight, deducting the legal tare of 3 per cent. for bags, and 15 per cent. for cases. The real net weight may also be declared, but importers prefer the legal tare, it being more advantageous.	Generally coffee is weighed on the quay before the declaration for the Customs is made. The duties on the weight of the samples are also perceived.

Cocoa.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags. Also in small quantities in boxes and cases. .	.. Singly, to the $\frac{1}{2}$ kilog.	.. Singly, to the $\frac{1}{2}$ kilog.	.. No samples taken ..	.. ..
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight— upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
.. ..	On shipping weight ..	Nothing ..	Duties :— Cocoa in beans— 15 fr. per 100 kilog. Cocoa, prepared— 45 fr. per 100 kilog. Upon the weight taken on the quay.	

INDIGO.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Cases	Singly, to the $\frac{1}{2}$ kilog. ..	Singly, to the $\frac{1}{2}$ kilog. ..	No samples taken .. ..	.. .. ..

Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
.. .. .	Re-weights	Nothing	Free.	

PEPPER.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags.. ..	Singly, to the $\frac{1}{2}$ kilog.	Singly, to the $\frac{1}{2}$ kilog.	No samples taken ..	.. ..
Who takes ultimate possession of the Samples.	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight — upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
.. ..	Re-weights ..	Nothing ..	Duties 15 per cent. <i>ad valorem</i> .	

(Signed) G. R. DE COURCY-PERRY,
Her Majesty's Consul-General, Antwerp.

Antwerp, July 3, 1893.

(9)

No. 2.

HAMBURG.

*Consul-General Dundas to the Earl of Rosebery.—(Received
July 20.)*

My Lord,

Hamburg, July 20, 1893.

WITH reference to Sir E. Grey's Circular of the 2nd ultimo, transmitting papers of inquiries relative to the customs in Hamburg, in the treatment of certain goods, in regard to weighing, allowance for tare, and samples, I have now the honour to return one set of the papers, the answers to which will, I trust, be found satisfactory.

I have, &c.

(Signed)

CHAS. S. DUNDAS.

Inclosure in No. 2.

COFFEE.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags.. ..	Per 5 bags.. ..	For real tare up to $1\frac{1}{4}$ per cent. of gross weight 2 per cent. allowance is made. For every $\frac{1}{4}$ per cent. more of gross weight $\frac{1}{4}$ per cent. more allowance is made.	.. ..	Before weighing
Who takes ultimate possession of the Samples?				
	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The brokers	No landing weights are taken here.	No draft allowed when sold cost and freight, 3 per cent. draft given when sold <i>ex store</i> .	When removed, samples included when weighing over $\frac{1}{4}$ kilog.	

COCOA.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags ..	Per 5 bags.. ..	..	.. .. ..	Before weighing
		From Guayaquil, Pará, Trinidad, Surinam, and Grenada, 2 kilog. per bag. Africa. Mauritius. Carácas, Samaná, Domingo, Bahía, Jamaica, Ceylon, and Java, bags under and 65 kilog., 1 kilog. per bag, bags over 65 kilog., 1½ kilog. per bag, allowance is made.		

Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The brokers ..	No landing weights are taken here.	3 per cent., and ½ per cent. when sold <i>ex</i> store. For cost and freight no sales draft allowed.	When removed. Samples included when weighing over ½.	

INDIGO.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Serons and bags	Per package	And or real average tare		Before weighing
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Buyers, who have to pay for them	No landing weights taken here..	$\frac{1}{2}$ kilog. seron and $\frac{1}{4}$ per cent. For samples, buyers get an allowance of $\frac{1}{10}$ kilog. per seron.	When removed, no duties levied on indigo.	

PEPPER.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing ?
Bags	Per 5 bags ..	1 kilog. up to bags of 65 kilog. of black pepper. 1 kilog. up to bags of 80 kilog. of white pepper.	.. ..	Before weighing

Who takes ultimate possession of the Samples ?	Are Goods sold at landing weights or re-weights ?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight ?	General Remarks.
The brokers	No landing weights are taken here.	No draft allowed when sold cost and freight. 3 per cent. when sold <i>ex</i> store.	Custom-house duties are levied, when removed. Samples are included when weighing over $\frac{1}{4}$ kilog.	

SUGAR.

[Colonial Sugars are not dealt with any more in Hamburg.]

SILK.

[Not dealt with here.]

No. 3.

HAVRE.

*Consul-General Bernal to the Earl of Rosebery.—(Received
July 5.)*

My Lord,

Havre, July 3, 1893.

REFERRING to Sir Edward Grey's Circular of the 2nd ultimo, I have the honour to inclose herewith the answers to the queries relative to the custom of the port in regard to the weighing, allowance for tare, &c., of certain specified goods.

I have, &c.

(Signed) FREDERIC BERNAL.

Inclosure in No. 3.

COFFEE.

[579]

Packages.	How weighed.	How tarred.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags Casks and barrels	Two bags at once One at a time	Tare 2 per cent. Net weight (barrels emptied and weighed).	About 150 to 200 grammes per bag or barrel.	Generally after weighing. Sometimes the importers will have a set taken before.
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Importers keep their samples, and buyers have fresh ones taken after delivery. Coffee being always sold re-weight.	At re-weights	None; but when weighed on quay the $\frac{1}{2}$ kilog. is not counted. If out of bonded warehouse it is weighed to the $\frac{1}{2}$ kilog.	The duty is levied on the re-weight when the goods leave the bonded warehouse for consumption. The duty on samples is paid apart as soon as they are taken.	

D

Cocoa.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags .. Casks and barrels ..	By two bags, .. By cask or barrel ..	Tare 2 per cent. .. Net weight (casks and barrels emptied and weighed apart).	About 200 grammes. ..	The importer takes a sample before, and the buyer one after, weighing.

Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The importer keeps sample taken by him.	If sold on the quay, at landing weights. If from bond, at re-weights.	On the quay the $\frac{1}{2}$ kilog. is allowed. In bond it is weighed to the $\frac{1}{2}$ kilog.	The duty is levied on the weight when taken out of the bonded docks or warehouses. The duty on the samples is levied apart.	

INDIGO.

[579]

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Surons ..	By $\frac{1}{2}$ kilog. ..	The surons are emptied, and then weighed; the indigo is replaced, and the whole package is weighed together.	About 4 kilog. per suron when two brokers are employed, — otherwise 2 kilog.	After weighing

Who take ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight— upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The samples are first taken charge of by the brokers, and put back in the surons at the time of the delivery of the merchandise.	At weights last taken ..	A draft of 50 decagr. (1 lb. $1\frac{1}{2}$ oz.) is allowed, plus an additional draft of from 25 to 50 decagr., according to the weight of the suron.	The duties are levied on the weights taken by the Customs on landing.	It is stated that there are few places where the operations connected with this article are more carefully done.

D 2

PEPPER.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags..	By two bags at a time	Tare 2 per cent. if packed in single bag. If in double bags the weight of the double bag is deducted.	From 150 to 200 grammes taken from each bag.	Usually after weighing, but sometimes the importers order a set of samples to be taken before weighing.
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?		How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Importers usually keep the samples drawn by their order, and buyers have fresh ones taken.	The article is always sold at re-weights.	None; but an allowance is made by arbitration for dust in excess of 2 per cent.	The duty is levied on re-weights when the goods leave the bonded warehouse for consumption. The duty on samples is paid separately when they are taken.	The article is weighed <i>ex quay</i> by the kilogramme. <i>Ex</i> bonded warehouse by the $\frac{1}{2}$ kilogram.

SUGAR.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Hogheads, casks, bags, & By single package and baskets. ..	..	One or two of the hogheads, &c., are emptied, and the weight of the package taken and allowed for.	$\frac{1}{2}$ a kilog. for two samples per package.	Before the weighing for the sellers. After the weighing for the buyers.

Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The sellers keep one sample, the buyers the other.	At re-weights ..	None except in case of damage ..	On the weight when taken out of bond. The duties on samples are taken apart.	

SILK.

[None imported at Havre.]

No. 4.

ROTTERDAM.

Consul Turing to the Earl of Rosebery.—(Received June 23.)

My Lord,

Rotterdam, June 22, 1893.

IN accordance with the instructions contained in Sir E. Grey's Circular of the 2nd instant, I now have the honour to transmit my replies to the inquiries relative to the custom of this port, in the case of certain specified goods, in regard to weighing, allowance for tare, and samples.

Silk not being imported here, I am unable to supply any information in respect of this article.

I have, &c

(Signed)

HENRY TURING.

Inclosure in No. 4.

INDIGO.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Chests of net $\pm$ 70/100 kilog.	Singly, and to the $\frac{1}{2}$ kilog. ..	Singly, real tare in $\frac{1}{2}$ kilog. ..	All chests are worked, and samples taken from the chests.	Samples are taken after weighing, but before delivery takes place they are returned to the chests.
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Samples are all returned to the chests.	Re-weights ..	1 per cent. for cash payment, no other discounts or draft.	No customs duties ..	The broker takes samples himself from the chests, and is charged for the full weight of the samples. After the lot is sold he returns his samples, and must pay the difference between the received and returned weight. The buyers must pay the broker for all samples, even the smallest. A prompt of fourteen days is allowed.

COCOA.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags (about 50/60 kilog.)	Singly, and to the $\frac{1}{2}$ kilog.	Ten bags are weighed, and their average tare is adopted according to the following scale:— kilog. If weighing 0.49 $\frac{1}{2}$ is deducted. 0.50 to 0.99 1 " 1 " 1.49 1 $\frac{1}{2}$ " 1.50 " 1.99 2 " 2 " 2.49 2 $\frac{1}{2}$ "	Importers exhibit a good fair sample.	.. .. .. ..
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The samples are returned to the bags.	Depends upon circumstances. In most cases, however, on re-weights.	None 	This article is free.	

SUGAR.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags..	.. Three bags in a draft and to the kilogramme.	Three in a draft and to the kilogramme.	.. ..	After weighing
Barrels	.. Singly	Singly. Fixed tare of 13 per cent.	.. ..	.. ..
Baskets	.. Singly	Singly. Fixed tare of 8 per cent.	.. ..	.. ..
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The purchaser of the cargo ..	Always re-weight ..	No allowances ..	There is no import duty, but an excise duty is levied on all sugars removed for home consumption.	The excise duties are as follows:— 27 fr., or 2 <i>l.</i> 5 <i>s.</i> , per 100 kilog. for refined sugar. Other kinds, 27 c., or 5 <i>½d.</i> , for every degree on the basis of 88 degrees of saccharine matter.

COFFEE.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags (about 60 kilog.) .. Mats (" 30 ") Cases (" 80 ") Casks (?)	Bags and cases singly, mats two in a draft, and in both instances to the $\frac{1}{2}$ kilog.	Ten bags or mats are weighed, and their average tare is adopted according to following scale:— kilog. If weighing 0.49 $\frac{1}{2}$ is deducted. " 0.50 to 0.99 1 " " 1 " 1.49 1 $\frac{1}{2}$ " " 1.50 " 1.99 2 " " 2 " 2.49 2 $\frac{1}{2}$ " For cases and casks the actual tare as marked on the packages is adopted.	At the rate of 1 kilog. for 100 bags.	Before
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The importer, and if the parcel be sold, the buyer.	Depends upon circumstances ..	None	This article is free.	

PEPPER.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags, about 50 kilog. ..	Singly, and to the $\frac{1}{2}$ kilog.	Ten bags are weighed, and their average tare is adopted according to the following scale:— kilog. If weighing 0.49 $\frac{1}{2}$ is deducted. " 0.50 to 0.74 $\frac{3}{4}$ " " 0.75 " 0.99 1 " " 1 " 1.24 $1\frac{1}{4}$ "	At the rate of 1 kilog. for 100 bags.	Before weighing
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The owner, and if the parcel be sold, the buyer.	Depends upon circumstances ..	None	1 fr. 50 c. for each 100 kilog. upon the weight as returned on arrival, if in bond in private warehouses, and upon the weight when removed, if in bond in Government warehouses. Samples not included in the weight.	

No. 5.

TRIESTE.

Consul Haggard to the Earl of Rosebery.—(Received June 19.)

My Lord,

Trieste, June 14, 1893.

I HAVE the honour to acknowledge Sir E. Grey's Circular of the 2nd June, and to inclose herewith the details required respecting weighing, allowance, tare, and samples in this port, of coffee, cocoa, indigo, sugar, pepper, and silk.

I have, &c.

(Signed)

JOHN G. HAGGARD.

Inclosure in No. 5.

COFFEE.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags ..	10 bags at a time, and to the $\frac{1}{4}$ kilog.	A fixed tare of $\frac{1}{4}$ kilog. per bag is allowed on Brazil coffees, and 1 kilog. if in double bags.	No prescribed weight. This is left to discretion, and, if of importance, the samples are charged for to the buyers, but no charge is made for samples furnished to brokers.	..
Bales ..	5 bales at a time, and to the $\frac{1}{4}$ kilog.	Bales are tared singly, and to the $\frac{1}{4}$ kilog.	From a $\frac{1}{4}$ to a $\frac{1}{2}$ kilog. weight of samples is permitted to be landed from the ship, but it is liable to duty.	After weighing
Casks, barrels, and cases.	Singly, and to the $\frac{1}{4}$ kilog.	The original invoice tare of casks, barrels, and cases is generally accepted, but buyers have the option of taring singly, and to the $\frac{1}{4}$ kilog.*		
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The shipping samples remain in possession of consignees. The samples, after arrival, usually go to the buyers.	Re-weights ..	None ..	Duty is paid on the weight when the coffee is taken out of bond. The samples are not comprised in the weight, but pay duty separately.	Bonded warehouses are allowed under special conditions inside the town to private individuals, and an account current is kept between them and the Customs officials of all goods stored and taken out. The duty is calculated on the weight of entry, but an allowance for natural loss in weight is made when the goods are taken out of bond.

* N.B.—Tare allowed by Custom-house on coffee in single bags is 2 per cent.; in bales, 2 per cent.; in casks and barrels, 10 per cent.; in cases under 200 kilog., 17 per cent.; in cases over 200 kilog., 12 per cent.

COCA.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags ..	Five bags at a time, and to the $\frac{1}{2}$ Kilog.	Singly, and to the $\frac{1}{2}$ kilog. and also to a less fraction.	No special weight, according to the size of parcel to be sampled, at discretion between sellers and buyers.	Before weighing
Who takes ultimate possession of the Samples?				
Buyers ..	Re-weights ..	None ..	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
			Duty is paid upon the weight when the cocoon is taken out of bond. The samples are not comprised, but pay duty separately.	Tare allowed by Custom-house is 3 per cent. on gross weight.

INDIGO.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Chests ..	.. Singly, and to the $\frac{1}{2}$ kilog. ..	Singly, and to the $\frac{1}{2}$ kilog. .. N.B.—But the original invoice tares are universally accepted as correct, and are always found to be so.	There is no special limit of weight of samples. As a general rule separate shipping samples are sent by shippers of every parcel.	Before weighing
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The original shipping samples remain in possession of the consignee. The samples, after arrival, usually go to the buyer.	Re-weights	None	Free of duty	The business done in this article on the spot is quite insignificant, and merely of a retail nature, but large quantities arrive here and are forwarded through to the interior to Russia, Germany, &c.

PEPPER.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags	10 bags at a time, and to the $\frac{1}{2}$ kilog.	Singly, and to a fraction of a kilogramme, that is to say "real tare."	No fixed weight	Before weighing
Who takes ultimate possession of the Samples?				
Buyer	Re-weights	None	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
			Duty is paid upon the weight when the pepper is taken out of bond, not landing weight. Samples are not comprised, but pay duty separately.	The tare allowed by Custom-house is 4 per cent.

SUGAR.

[579]

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags ..	Five bags at a time, and to the $\frac{1}{2}$ kilog.	No tare allowed for bags, sold gross weight for net.	No fixed weight ..	Before weighing ..
Cases ..	Cases singly, and to the $\frac{1}{2}$ kilog.	Cases are tared singly, and to a fraction of a kilogramme, in other words the "real tare" is allowed.		..

Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Buyer ..	Re-weights ..	None ..	A bounty duty is allowed to refiners upon all sugar of Austrian production which is exported to foreign parts.	Sugar is no longer imported into Austria, and all the above refers to Austrian sugar.

F

SILK.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Pressed bales ..	Singly, and to the $\frac{1}{2}$ kilog. ..	5 per cent. on the gross weight	None	After weighing

Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Buyers	Re-weights.. ..	None	Duty is paid on weight when taken out of bond; samples are not included in the weight, but pay duty separately.	There is no market for waste silk on the spot, all the arrivals here being in transit to the interior or to Italy. No business is done in silk at Trieste.

No. 6.

NEW YORK.

*Consul-General Booker to the Earl of Rosebery.—(Received
July 10.)*

My Lord,

New York, June 29, 1893.

I HAVE the honour to send herewith the papers transmitted in Sir E. Grey's Circular of the 2nd instant, with answers to the inquiries contained therein, in regard to the weighing, allowance for tare, and samples of certain specified goods.

I have, &c.

(Signed) WM. SAM. BOOKER.

SUGAR.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags.	Usually ten together..	One out of ten	Very difficult to say weight of landing samples now, as the Government does not, as formerly, give the samples when duty was leviable.	After
Barrils	Separately..	Not regularly; the usual is take one of ten		
Hogsheads	..	Separately..		
Tierces	..	..		
Mats	About ten in sling	One out of ten taken to get tare.		
Who takes ultimate possession of the Samples?		Are Goods sold at landing weights or re-weights?	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Purchaser	Both ways, as may be agreed upon.	Nothing allowed beyond the actual tare.	Sugar is admitted duty free up to 16 standard.	When there was a duty the purchaser took at actual weight as ascertained by Customs officials.

SILK.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bales— Japan, 133½ lbs. China, 133½ ” Canton, 100 ” Others are about 160 ”	Singly, and to the lb. ..	When weighed in shirtings, 12 oz. allowed for tare. Other bales deduct 2 lbs. from shipper's weights.	Purchasers have to pay for samples.	Before
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight— upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Purchaser	Purchasers here generally accept Japan and China shippers' weights as found reliable. Option given to buyers by re-weight if they so desire.	No draft. No waste to allow for.	No duty on raw silk.	

COFFEE.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Cases (sundries). Mats (Java). Packets (Mocha). Second-hand flour-barrels used in Jamaica, and also bags.	In cases as it comes from Savannah, Costa Rica, Guate- mala, and Mexico, weighed singly and to the lb. Others in drafts, see column "How tared."	Actual tare is given on the barrels and bags from Jamaica. From Haiti tare is 2 per cent. From Rio, Santos, Maracaibo, 1 per cent. is allowed. Savannah, Costa Rica, Guate- mala, and Mexico, actual tare allowed.	Samples from the dock given to the brokers. No charge for samples to them. Purchasers allowed 1 lb. on lots under ten packages. 2 lbs. over ten packages. 3 lbs. over fifty packages of each chop or brand.	Samples taken before weighing
Who takes ultimate possession of the Samples?	Are Goods sold at landing weights or re-weights?	Draft allowed to Purchasers.	How are Customs Duties levied, and upon what weight— upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
Brokers or purchasers	Re-weight	No draft	No duty on coffee.	

COCOA.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags.. ..	By beam scales. Three to six bags at a time, sometimes over that number. Weighed to the lb.	Tare is at 2 per cent. on single package.	2 lbs. limit is allowed to each mark.	Before
Who takes ultimate possession of the Samples?				
Brokers	Re-weight..	None	How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	General Remarks.
The article is free of duty.				

INDIGO.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Cases ..	.. Singly and to the lb.	Singly, and to the lb.	.. 2 lbs. each case ..	Samples sent in separate box, and invoiced.
Who takes ultimate possession of the Samples?				
Are Goods sold at landing weights or re-weights?		Draft allowed to Purchasers.		General Remarks.
Purchaser ..	.. Actual weight at time of purchase.	No draft beyond the actual tare.	Indigo is free of duty.	

PEPPER.

Packages.	How weighed.	How tared.	Weight of Landing Samples.	Are Samples taken before or after weighing?
Bags.. ..	Weighed in drafts, usually about ten bags in a sling, and to the lb.	Tare is at 2 per cent.	.. Samples taken are at the buyer's cost.	Before
Who takes ultimate possession of the Samples?				
Buyer	.. Re-weight ..	.. None ..	..	General Remarks.
			How are Customs Duties levied, and upon what weight—upon the weight as returned by the Docks on arrival, or when removed, and are the Samples included in the weight?	Pepper admitted duty free.

COMMERCIAL. No. 16 (1893).

REPORTS

FROM

HER MAJESTY'S CONSULAR REPRESENTATIVES ABROAD

RESPECTING

METHODS OF PAYMENT OBSERVED
WITH REGARD TO CERTAIN ARTICLES
OF MERCHANDIZE.

[In continuation of Parliamentary Paper "Commercial No. 12 (1893)."]

*Presented to both Houses of Parliament by Command of Her Majesty.
December 1893.*

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Circular to Her Majesty's Consular Representatives at Antwerp, Hamburg, Havre, Rotterdam, Trieste, and New York.

Sir,

Foreign Office, October 5, 1893.

WITH reference to your despatch* in reply to the Circular of the 2nd June last in regard to certain trade regulations and customs, I am directed by the Earl of Rosebery to inform you that the completeness of the information furnished in that despatch has met with great appreciation. As the system of credits prevailing at foreign ports is a most important factor in instituting a comparison of the favourableness or otherwise of English trade customs when compared with those obtaining abroad, I am to request you to furnish answers, so far as you may be able to do so, to the questions in the accompanying Memorandum.

I am, &c.

(Signed) T. V. LISTER.

Inclosure.

Memorandum.

WHETHER cash is required at or before delivery. If so, what period of time or prompt is allowed before the goods have to be paid for?

If cash is not required on the delivery of goods, what period of credit is allowed to the buyer?

Whether a deposit requires to be made on purchasing?

Rate of interest, if any allowed, for prepayment before prompt?

Whether there are any trade discounts or allowances off the nominal price?

Within what time discounts or allowances are allowed?

* See Parliamentary Paper "Commercial No. 12 (1893)."

Replies to preceding Circular.

No. 1.

ANTWERP.

*Consul-General Perry to the Earl of Rosebery.—(Received
November 13.)*

My Lord,

Antwerp, November 11, 1893.

IN obedience to the instructions contained in Sir Villiers Lister's Circular despatch of the 5th October last, I have now the honour to transmit to your Lordship replies to the queries contained in the inclosure forwarded in the despatch referred to above.

I have, &c.
(Signed) G. R. DE COURCY-PERRY.

Inclosure in No. 1.

Answers to Queries.

1 and 2. It depends entirely on the nature of the goods and on the purchasers, *i.e.*, whether established in Belgium or in other countries, and in which countries. As far as Belgian export houses are concerned, the usual terms are cash, viz., prompt twenty or thirty days from date of invoice, or against shipping documents. This last mode of payment is generally adopted. If credit is absolutely necessary, the rate is always high, say from $\frac{1}{2}$ to 2 per cent. additional when the purchasers are first-rate buyers, and occasionally as much as 5 per cent., and even more, for smaller and less safe firms.

3. It is only in exceptional cases that a deposit is demanded, and even so the amount is relatively small, not sufficient to cover loss if contract be not executed.

4. Prepayments are very seldom made, and when required no interest is allowed.

5 and 6. There are many articles of which the prices are net; others have a trade discount or discounts; these vary very much, even for the same article and market.

The foregoing terms, which relate principally to exports, can only be regarded as the usual customs of the country.

The following are the conditions of sale of the several specified articles of import herein named, viz. :—

Grain.—If sold cost and freight, or cost, or cost, freight, and insurance, the terms of payment are :

(a.) Three months' banker's acceptance from date of bill of lading against shipping documents ;

(b.) Or cash in exchange for shipping documents ;

(c.) Or cash on arrival of vessel, less discount, at the rate of the "Banque Nationale," for the unexpired term of three months.

(d.) For grain sold after arrival, terms are at thirty days from day of sale, with reciprocal faculty to pay, or to be paid, cash, less $\frac{1}{2}$ per cent. discount.

Wool.—For shipment :

(a.) Ninety days' sight.

(b.) If sold after arrival, payment cash, less interest, at the rate of "Banque Nationale," for twenty days, or unexpired term of twenty days, from date of sale.

(c.) If sold by public auction, goods to be received within ten days, and payment cash, less interest, at the rate of "Banque Nationale," for unexpired term of ten days.

Rice.—For shipment, or shipped :

(a.) Cash against shipping documents.

(b.) Sold after arrival, payment at thirty days from date of sale, less 2 per cent. discount.

Hides.—Shipped, or to be shipped :

(a.) Ninety days' sight against shipping documents.

(b.) If sold after arrival, payment cash, less 3 per cent. discount ; goods to be received and paid for within twenty days from date of sale.

Coffee.—To be shipped, or shipped :

(a.) Ninety days against shipping documents.

(b.) If sold after arrival, payment cash, less $1\frac{3}{4}$ per cent. discount (new terms). If sold on the old terms, thirty days, less 2 per cent. discount.

Tallow, Bacon.—To be shipped, or shipped :

(a.) Sixty days' sight, documents attached.

(b.) If sold after arrival, payment cash, less 2 per cent. discount, less thirty days, at 5 per cent. per annum.

Timber.—To be shipped :

(a.) Payment, three months' drafts, acceptance of buyers, against shipping documents.

(b.) If sold after arrival, payment twenty days, with 1 per cent. discount.

Antwerp, November 11, 1893.

No. 2.

HAMBURG.

Consul-General Dundas to the Earl of Rosebery.—(Received October 27.)

My Lord,

Hamburg, October 25, 1893.

WITH reference to Sir T. V. Lister's Circular of the 5th instant, inclosing a Memorandum of questions relating to trade customs in regard to certain transactions, I have now the honour to state that—

1. As a general rule cash payment is required immediately upon delivery of goods purchased.

2. The period within which delivery of goods, and consequent payment, has to be effected is from fourteen days to four weeks after purchase of same.

3. Generally no period of credit is allowed.

4. Deposits are not required at time of purchasing.

5. No rates of interest are allowed, as prepayment is unusual.

But 1 per cent. discount is allowed on payment of goods immediately after delivery.

6. No time periods exist in regard to discounts or allowances other than what has been stated.

The foregoing are the general practice in business transactions, but it may be added that, both as regards discounts and the time within which delivery is to be made, the foregoing are subject to variation in different kinds of goods.

The Memorandum which accompanied your Lordship's despatch is returned herewith.

I have, &c.

(Signed) CHAS. S. DUNDAS.

No. 3.

HAVRE.

Acting Consul-General Rowell to the Earl of Rosebery.—(Received October 9.)

My Lord, *Havre, October 6, 1893.*

IN reply to Sir T. V. Lister's Circular of yesterday's date, I have the honour to report as follows to the questions in the accompanying Memorandum :—

1. Cash is required on delivery ; fifteen days are allowed for prompt.

2. This does not apply.

3. On purchasing, a deposit is not generally required.

4. No interest is allowed, as the money is due on the day of sale ; but the purchaser pays interest at 6 per cent. if he does not take delivery at once, or make a payment on account.

With regard to the latter, any differences are adjusted on settlement of the invoice ; and, if payment is made on the date of the sale, the discount is allowed in full, but no other allowance is admitted.

I have, &c.

(Signed) JOHN SOULSBY ROWELL.

No. 4.

ROTTERDAM.

Consul Turing to the Earl of Rosebery.—(Received October 16.)

My Lord, *Rotterdam, October 14, 1893.*

IN reply to Sir T. V. Lister's Circular despatch of the 5th instant, I now have the honour to transmit my answers to the questions relating to the system of credits prevailing at this port as regards the sale of different articles of colonial produce.

I have, &c.

(Signed) HENRY TURING.

Inclosure in No. 4.

Answers to Queries.

No cash payments are required either at or before delivery of goods.

A fortnight's prompt is usually allowed before the goods have to be taken delivery of, and then payment is effected either by cash under a discount of 1 per cent. or by a three and a-half months' promissory note, dating from the date of sale, in seller's option.

No deposit is ever required on purchasing, nor is rate of interest allowed for prepayment before prompt.

Beyond the discount of 1 per cent. for cash, no allowances are made off the nominal price in the cases of coffee, pepper, cocoa, or indigo.

The conditions of sale of sugar are as follows:—

Java Sugars.—1 per cent. is first added to gross amount of invoice for so-called public sale charges, and then $1\frac{1}{2}$ per cent. is deducted for cash.

Surinam Sugars.— $1\frac{1}{2}$ per cent. discount for cash.

Beet Sugars.—No discount whatever.

(Signed) HENRY TURING.

Rotterdam, October 14, 1893.

No. 5.

TRIESTE.

Consul Haggard to the Earl of Rosebery.—(Received October 16.)

My Lord,

Trieste, October 11, 1893.

I HAVE the honour to acknowledge Sir T. V. Lister's Circular of the 5th October, inclosing a Memorandum, with six questions to be answered, respecting the system of credits prevailing at foreign ports.

After careful inquiry, I have ascertained that there is no fixed rule as far as Trieste is concerned, but that, generally speaking, one and the same answer can be given to all six questions, namely, that special written agreements, according to the transactions, are made in each case between the buyers and sellers, but that, in the event of the parties being unable to agree, the Chamber of Commerce decides according to its general rules.

With reference, however, to, the first question, respecting cash and prompt cash, the custom here is that in cases of cash the seller presents his bill for payment on the following Friday after the sale, if the goods have been delivered to the buyer. In cases of prompt cash, the seller demands payment on the same day for goods delivered.

Respecting Question 4, interest, if charged, varies in all mercantile transactions here from 1 to 6 per cent. per annum.

Respecting Question 5, as a rule there are no trade discounts or allowances off the nominal price, but sometimes it is otherwise, but only occasionally.

There is, further, a trade custom here peculiar to Trieste, called "scale payment," but it is only occasionally practised.

"Scale payment" is payment made by the purchaser as soon as the goods are weighed, or literally whilst in the scales, and before their removal from the stores.

I have further the honour to inclose herewith a pamphlet, with appendix,* published by the Chamber of Commerce, respecting the customs of the Trieste market generally, in the possible event of its proving of value for reference in other directions than those specified by your Lordship.

I have, &c.

(Signed) JOHN G. HAGGARD.

No. 6.

NEW YORK.

Consul-General Booker to the Earl of Rosebery.—(Received November 24.)

My Lord, New York, November 14, 1893.

I HAVE the honour to inclose the questions, with answers thereto, in regard to certain trade regulations and customs, requested in Sir T. V. Lister's Circular of the 5th October.

I have, &c.

(Signed) WM. LANE BOOKER.

Inclosure in No. 6.

Answers to Queries.

SILK.

1. Very little is done for spot cash. Small buyers whose credit is limited have to buy for cash, or for cash thirty days.
2. The regular terms are six months. The buyer giving negotiable paper at six months, which may be discounted at the bank or sold in Wall Street.
3. No.
4. If a bill is discounted, the allowance is 6 per cent. per annum for the unexpired time of six months.
5. If a bill is paid in sixty days, 2 per cent. discount is allowed; if cash is paid down, 3 per cent. is allowed.
6. Within any unexpired part of six months if the seller holds the paper.

INDIGO.

1. Cash not required on delivery to approved purchasers. Goods must be paid for within thirty days, less $\frac{1}{2}$ per cent. discount.
2. Thirty days.
3. No.
4. 6 per cent. per annum allowed for unexpired time; basis of thirty days.
5. No.
6. Usually ten days.

COFFEE.

1. Sold on a nominal basis of four months' credit, and insurance and storage paid by seller, for thirty, and in some cases sixty, days, within which time the goods must be received, and paid for, less 6 per cent. interest allowed for the unexpired time of four months. If payment is made inside of thirty days, a drawback is allowed on insurance and storage.
2. Cash paid as delivered, or sixty days' credit.
3. No.
4. 6 per cent., as stated in answer to Query 1.
5. 2 per cent. discount if paid within ten days.
6. See answers to foregoing questions.

PEPPER.

1. No.
2. Thirty days usual time.
3. No.
4. Interest at 6 per cent. per annum is allowed for the unexpired time, or basis of thirty days' credit.
5. None.

6. Soon as goods are examined and approved (a few days only allowed for doing so). For immediate cash payment, when approved, $\frac{1}{2}$ per cent. discount is allowed.

SUGAR.

1. Cash on delivery.
2. Not to exceed ten days.
3. No.
4. No drawback given.
5. None.
6. No extra time allowed over ten days.

COCOA.

1. Thirty and sixty days' credit. (Storage and insurance allowed as in coffee.) For cash, 1 per cent. discount is given on buyer's option.
 2. Thirty to sixty days' credit.
 3. No.
 4. 6 per cent. per annum.
 5. 1 per cent.
 6. Sixty days.
-

BELGIUM. No. 1 (1893).

REPORT

UPON THE

PROCEEDINGS IN CONNECTION WITH THE REFERENDUM VOTE UPON UNIVERSAL SUFFRAGE

WHICH TOOK PLACE IN

BRUSSELS AND ITS SUBURBS ON
FEBRUARY 26, 1893.

*Presented to both Houses of Parliament by Command of Her Majesty.
April 1893.*

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Report upon the Proceedings in connection with the Referendum
Vote upon Universal Suffrage, which took place in Brussels
and its Suburbs on February 26, 1893.

Sir E. Monson to the Earl of Rosebery.—(Received March 15.)

My Lord,

Brussels, March 14, 1893.

IMMEDIATELY on the receipt of your Lordship's despatch of the 3rd instant instructing me to report on the proceedings called the Referendum, which took place in Brussels and its suburbs on the 26th February last, I waited on the Minister of the Interior, M. de Burlet, and discussed the matter with him.

I did so because, although the Government, far from taking any part in, or responsibility for, this appeal to the people, had done their best to discountenance it, I anticipated that they would certainly be in possession of, or could obtain, the material required for my Report; and, as the Minister of a foreign Power, acting under the orders of my Government, I considered that it would be improper for me either to

[The Printed Document referred to as Inclosure 7, but not attached to this Report, has been placed in the Library of the House of Commons.]

the obligations under which I stand to M. de Burlet for the trouble which he has been so good as to take to enable me to comply with your Lordship's orders, I begin by quoting from his Excellency's letter of the 11th instant, in which he responded to my appeal.

He writes as follows:—

"I have the honour to transmit to you herewith a Memorandum with other documents relative to the Referendum.

"In view of the examination by the Legislative Chambers of the various questions connected with Constitutional revision, certain Communal Councils decided to organize a Referendum on the question of the right of suffrage, and even voted extraordinary credits to cover the cost of such a popular consultation.

"My Circular of the 7th February (Inclosure No. 1) drew attention to the illegality of resolutions already, or about to be, taken in this sense by the Communal Councils; and in consequence instructed the Provincial Governors to put a stop to every attempt to carry it out.

"Upon my report the King was pleased, by a Decree dated the 14th February last, to annul resolutions of this nature. (See the "Moniteur" of the 17th February, Inclosures Nos. 2 and 3.) Further annulments had subsequently to be pronounced.

"I have caused a statement (Inclosure No. 6) to be drawn up, based upon the information given in placards, which furnishes, according to the organizers, the result of the different references carried out in the districts composing the whole of Brussels, by Committees of Progressists and Socialists.

"A letter of invitation (Inclosure No. 4) shows the various questions submitted to all the citizens (electors or non-electors).

"The information contained in this statement has but a very doubtful value, in view of the absence of all such guarantees, numerous and complicated as they would necessarily be, as could alone insure the accuracy of the electoral operation. The

greater number of the Bureaux which managed the Referendum were indeed installed in drinking houses.

"The Communal Council of the capital formally refused to lend any assistance to these operations, on the ground of their being illegal, and of its being impossible to organize them with due care.

"The text of the discussion which took place at the sitting of the Council on the 30th January last will be found in Inclosure No. 7.*

"These documents, as well as the articles published in the papers, will furnish you, I hope, with all the information you desire.

"I am, moreover, entirely at your service should you require any supplementary explanations."

It will be seen from the foregoing letter that the Minister of the Interior attaches no value to the result of the appeal, on account of the absolute want of all security as to its accuracy. In this opinion, he is supported by all his colleagues in the Government, as well as by the whole official world. The Opposition newspapers of course assert most positively that the operation was conducted with almost perfect accuracy; and accuse the Clerical party of exerting every kind of influence to prevent the voters from going to the poll, as well as to persuade them not to vote for universal suffrage.

I proceed to give the official Memorandum mentioned at the commencement of M. de Burlet's letter:—

"The Referendum of the 26th February, 1893.

"The Belgian Legislative Chambers, convoked to revise Article 47 of the Constitution, which bases the suffrage on the payment of a certain amount of tax—the cess—have had submitted to them different proposals for the extension of the right of suffrage to new categories of citizens. Among these proposals are to be found some which would establish the right of universal suffrage, limited only by the conditions of nationality, residence, and age.

These proposals, from the moment of their being submitted, became the object of lively debate in the press and in the meetings of political Associations.

It was in one of these Associations, which is in favour of the principle of universal suffrage, that there arose the idea of referring to the decision of the male inhabitants of Brussels, arrived at the age of majority, the question of the admissibility of this principle.

In the course of last month, the Communal Administration of one of the suburbs of Brussels decided on convoking the Delegates of the Communal Administrations comprised in the Brussels system, with the view of inducing the Communal Councils to decree the organization, on an identic plan, of a Referendum on the question of the right of suffrage.

The meeting took place, and the Councils deliberated.

Some of them, notably that of Brussels proper, declared themselves incompetent, others decreed the Referendum, but their deliberations were annulled by the King as having been taken outside of their attributes. The grounds for the annulling are stated in the Report of the Minister to the King, published in the "Moniteur Belge" of the 17th February last.

The work of organizing the Referendum was then taken over by a Committee composed of Delegates from different political Associations.

To form the list of those who should vote, the Committee applied to the Communal Administrations. Some of these consented to draw up a list of citizens of the full age of 21 years inhabiting the commune. In Brussels proper the organizers obtained, by payment, the services of employés of the public and of the civic body. In other quarters they themselves made a house to house census.

The total number of citizens invited in the whole system ("agglomération") was, according to the organizers, 111,837, including 20,438 general and 19,726 communal electors.

For the distribution of the summonses to the parties interested, the Committee obtained in some communes the aid of the local police; in others the delivery was made by messengers selected by the organizers. It does not appear, if we may judge by the observations of certain organs of the press, that all errors were avoided. Numerous omissions have been signalized, and, on the other hand, many summonses were in some cases addressed to the same individual, who

* Sent in French text. This document has been placed in the Library of the House of Commons.

was then enabled to vote in several polling-places successively, so that the value of the Referendum of the 26th February and of its results has been diversely estimated. Moreover, no act of fraud was liable to punishment, the reference to the popular will being only the act of private individuals and of Associations destitute of all official character.

However this may be, according to the declaration made in the Chamber of Deputies in the sitting of the 7th March by M. Haurez, the number of citizens who responded to the appeal of the Committee was 60,618.

The vote was taken in numerous polling-places (forty-eight for the city of Brussels alone) installed, some in houses of business, others in private localities, coffee-rooms, taverns, &c.

The polling began on the 26th February at 9 in the morning, and closed at 9 o'clock at night in Brussels and at 6 o'clock in the evening in the suburbs.

No disturbance was reported.

There was no roll-call. Every citizen was admitted to vote in the Bureau where he was inscribed on the simple presentation of the summons in his possession, which summonses were printed on paper of different colours, according as the citizen was a general, a communal, or a non-electors.

At Brussels, however, voting was allowed in any other Bureau than that of the inscription, on the presentation of some documentary proof of identity.

In exchange for this summons each voter received from the President of the Bureau a voting ticket of the same colour, on which was printed the statement of five principal electoral systems among which choice could be made. The vote was signified either (in Brussels) by a cross in pencil, or (in the suburbs) by using an inked stamp on one of the divisions specifying the electoral formula selected.

The proceeding was secret, and took place behind a screen. The voting-paper was carefully folded up and placed in an urn under the eyes of the Bureau.

The operation of counting the votes took place the same day, 26th February.

The Organizing Committee declared that the two proposals favouring the adoption, with certain distinguishing conditions of age and residence, of the principle of universal suffrage, had obtained 56,338 votes, including those of 7,435 general (that is to say, Parliamentary) electors.

The Referendum having had no official character, the accuracy of the foregoing figures cannot be verified by the Government, the latter having been in no way a party to it.

According to the statement of one of the principal organizers—a statement reproduced in the newspapers—the cost of the Referendum amounted to 4,000 fr. (=160%).

On this detail also all possibility of verifying its accuracy is wanting."

It may be as well that I should add to the foregoing official information, that not only was there on the 26th February no disturbance whatever of the public peace, but that in the provinces, where similar references to the popular will have also been carried out, there have been up to the present time no disorders.

The partisans of universal suffrage have, as I have already stated, claimed the result of the experiment as a triumph. They maintain that the proportion of over 50 per cent. of the inscribed which went to the polls is a sufficient indication of the eagerness of the unfranchised classes to be admitted to the suffrage. On the morrow of the polling there were, however, some symptoms of disappointment that the proportion had not been greater. The numbers as taken from the tabular statement (Inclosure No. 6) shows that the proportion was 60,618 out of 111,837.

I repeat that I do not consider myself called upon to comment in any way on the experience thus obtained. In a recent despatch I have transmitted to your Lordship the newspaper report of the audience given by the King to M. Grimard, the Chairman of the Organizing Committee. In that report it is stated that, in the conversation between His Majesty and M. Grimard, reference was made to the interest which the Referendum had aroused in the House of Commons, resulting in the call made upon me to supply information respecting it. It is but natural that those who took part in the Referendum should be flattered at having set an electoral precedent to which appeal can be made in the debates of that Legislature to the example and practice of which the eyes of all foreign Parliamentarians have so long been turned. And in closing this despatch I cannot refrain from drawing your Lordship's attention to the fact that, in the discussions on the revision of the Belgian Constitution, discussions which have, as will have been seen, suggested the informal consultation of the popular will above

described, there has been nothing more frequent than reference to the principles of representation as now settled with regard to our own House of Commons, and the satisfactory result of that system of household suffrage which confers the franchise on a simple uncomplicated basis. Whatever the ultimate result of these debates may be, whatever may be the final decision as to the principle on which the right of suffrage is to be extended to classes yet unenfranchised in this country, whatever may be the real value of the experiment undertaken on the 26th February last, the promoters of the Referendum are entitled to boast that, in this instance at any rate, they have proved to their neighbours on both sides of the Channel that the possessors of extreme opinions can carry out such an experiment as an appeal to the interested sentiment of the masses of the population without provoking any disturbance of the public peace, or compromising the character of the Belgians as a law-abiding people.

I have, &c.

(Signed) EDMUND MONSON.

Inclosure 1.

Circular of the Minister of the Interior to the Provincial Governors.

(Translation.)

M. le Gouverneur,

Brussels, February 7, 1893.

QUESTIONS relating to the revision of the Constitution, in particular that of the extension of the suffrage, are the province of the Legislative Chambers elected in accordance with sections 2 and 3 of Article 131 of the Constitution, by virtue of the Royal Decree of the 23rd May, 1892, confirming the declarations of the legislative power of the same date.

Article 21 of the Constitution, in according to everyone the right of addressing Petitions signed by one or more persons to the public authorities, considered it necessary to add, in the interests of public order, that only constituted authorities have the right of presenting Petitions collectively.

In pursuance of the same idea, Article 43 prohibits the personal presentation of Petitions to the Legislative Chambers.

Certain Communal Councils have decided to organize a Referendum on the question of the right of suffrage, and have even voted extraordinary sums to cover the expenses of this consultation.

In taking such deliberations they exceed their duties, and from that moment their deliberations come under the application of Articles 31 and 108 of the Constitution, and of Articles 86 and 87 of the Communal Law.

I beg you, M. le Gouverneur, to suspend the execution of resolutions which may have been or shall be taken in this sense by the Communal Councils of your province, and, in case it should be necessary, to take steps against the decisions by which the permanent deputation should refuse to maintain the suspension.

(Signed) J. DE BURLET.

Inclosure 2.

Report of Minister of the Interior to the King.

(Translation.)

Sire,

ON the eve of the opening, in the Legislative Chambers, of the debate on the proposals for the revision of the Constitution in regard to the extension of the electorate, certain Communal Councils have come to decisions, decreeing and organizing a reference to the people on this subject.

Without touching on the question of the Referendum, the principle of which is not now before us, I am of opinion that they have exceeded their duties.

The questions relating to the revision of the Constitution, and especially to the foundations of the right of suffrage, are such as concern the general interests of the country; they are beyond the province of the Communal Councils, whose powers are clearly determined and defined by law.

Articles 31 and 108 (2) of the Constitution lay down the principle of the duty of the Communal Councils as consisting of all matters exclusively communal; Article 108 (5),

contemplates the intervention of the King or of the Legislature as soon as the Communal Councils exceed their duties.

The Communal Law, for its part, in applying these principles, decides that the Communal Council is to regulate all matters exclusively communal, and to deliberate on every other subject submitted to it by the superior authority.

The members of a Communal Council hold their office under the electoral colleges for the administration of matters of purely local interest, which has given rise to the statement that the communal authority is confined, in the true acceptance of the word, to matters of local interest ("Pandectes Belges," see Commune 27); that it is limited by the special nature of its powers (Giron, "Le droit administratif," No. 130).

If the Communal Council can legitimately endeavour to discover the voice of its members with regard to matters of local interest within its jurisdiction, if it can have recourse, under these circumstances, to the mode of procedure contemplated by Article 75 of the Communal Law, it cannot be admitted to have the right of creating in the commune a new organization, a species of electoral college neither constituted or administered by law. Above all, it cannot be conceded that the Communal Council has the right to submit to a college of this description the consideration of questions upon which it has not itself the right to deliberate, and which are exclusively the province of other legally constituted authorities.

With regard to this point, it is interesting to recall the fact that the French Government declared to be illegal the decisions of the Municipal Councils which authorized a reference to the electorate by means of a Referendum.

"The Municipal Councils have without doubt," says the Ministerial Circular of the 23rd March, 1889, "the right to consult the voice of the people, but only in a legally established form."

It is true that in the case of subjects of special interest to the commune, Communal Councils have been known to call upon the inhabitants to express their opinion by means of voting. But as these were individual cases, and no irregularities were noticeable, the question of the legality of the procedure was not raised; but the superior authority cannot view with indifference the application of the system to matters of general interest, and to subjects not within the province of the Communal Councils.

In order to justify the decisions of the Communal Councils instituting a local Referendum on the proposals for a revision of the Constitution, they have been recognized as either a measure preparatory to the right of petition, guaranteed by Article 21 of the Constitution, or as the actual exercise of this right.

Without examining the question of discovering whether the Communal Councils may avail themselves of this Constitutional right to take an opinion by means of voting on matters outside of their jurisdiction, it is sufficient to state that, inasmuch as such voting is not within the province of the Communal Councils, properly so-called, it does not represent the information and the preliminary inquiry contemplated by law with the object of enlightening the Communal Administrations as to their duties.

In order to arrive at a different conclusion, it would have to be maintained that the jurisdiction of the Communal Councils, and, in a general sense, of all constituted authorities, is universal, in default of being able to limit the subjects over which the right of petition may extend. Such an estimation, admitting all encroachments, would be destructive to the ends which the legislation desired to attain when it particularized the prerogatives of the various authorities.

Article 21 of the Constitution, in proclaiming the right of everyone to address Petitions, signed by one or more persons, to the public authorities, limits, in the interests of public order, the right of addressing collective Petitions to constituted authorities only.

The Governor of the Province of Brabant has suspended the execution of the decisions of the Communal Councils of Anderlecht, of Saint-Josse-ten-Noode, of Saint-Gilles, and of Molenbeck-Saint-Jean, deciding to institute a Referendum on the question of the right of suffrage.

The Permanent Deputation of the Provincial Council, after having refused their assent to the sum voted by the Communal Council of Molenbeck-Saint-Jean for this purpose, after having thus explicitly admitted that they do not form part of the Council for the organization, at the expense of the commune, of the proposed reference to the people, have, in reality, reversed their opinion by deciding (without, indeed, attempting to defend the legality of the Referendum, and relying solely on

reasons of expediency) not to maintain the suspension decided upon by their Governor.

The Governor has complained against this resolution.

The reflections put forth in this Report suffice to establish this complaint as well founded, and that there was reason to annul the above-mentioned decisions of the Communal Councils of Anderlecht, Saint-Josse-ten-Noode, Saint-Gilles, and of Molenbeck-Saint-Jean.

Such is the object of the Resolution which I have the honour of submitting for your Majesty's signature.

Minister of the Interior and of Public Instruction,
(Signed) J. DE BURLET.

February 14, 1893.

Inclosure 3.

Royal Decree, dated February 14, 1893.

(Translation.)

LEOPOLD II, King of the Belgians, to all present and to come, greeting !

In view of the decisions of the 10th, 16th, 19th, and 23rd January, 1893, respectively, by which the Communal Councils of Anderlecht, Saint-Josse-ten-Noode, Saint-Gilles, and of Molenbeck-Saint-Jean have decided to organize in these communes a Referendum on the question of the right of suffrage, and to call on adult Belgian citizens to make known their views as to the different systems submitted to the Legislative Chambers ;

In view of the Resolutions of the Governor of Brabant of the 26th and 30th of the same month, suspending the execution of these decisions ;

In view of the decisions of the 1st February, 1893, by which the Permanent Deputation of the Provincial Council refuses to maintain the suspension, the objects of which have been communicated to the Communal Councils interested ;

In view of the appeals issued on the 1st February by the Governor of the Province against these decisions ;

In view of Article 108 (5) of the Constitution, and of Articles 86 and 87 of the Communal Law, adopting the proposal of our Minister of the Interior and Public Instruction for the reasons mentioned in his Report of to-day ;

At the suggestion of our Minister of the Interior and of Public Instruction ;

We have decreed and decree :

Article 1. The appeals above named of the Governor of the Province of Brabant are approved, and the above-mentioned decisions of the Communal Councils of Anderlecht (of 10th January, 1893), of Saint-Josse-ten-Noode (of 16th January, 1893), of Saint-Gilles (of 19th January, 1893), and of Molenbeck-Saint-Jean (of 23rd January, 1893), are annulled.

This Decree shall be mentioned in the margin of the annulled Acts in the registers of the proceedings of the sittings of the said Communal Councils.

Art. 2. Our Minister of the Interior and of Public Instruction is intrusted with the execution of the present Decree.

Given at Laeken, the 14th February, 1893.

(Signed) LEOPOLD.

By the King :
The Minister of the Interior and of
Public Instruction,
(Signed) J. DE BURLET.

Inclosure 4.

Summons to Citizens, with "Facsimile" of Voting Ticket.

CITY OF BRUSSELS.

(Translation.)

Referendum of the 26th February, 1893, on the question of the Right of Suffrage.

Mr.,

THE Organizing Committee of Brussels invites you to take part in the popular reference organized with a view to giving to *all the inhabitants* of Brussels an opportunity of expressing their opinion on the question of the right of suffrage.

It appeals to your devotion to the Commonwealth in requesting you to present yourself with this paper, which you will be strictly required to produce, at the voting Bureau, which you will choose at your convenience out of those given in the inclosed list.

All the Bureaux will be open on Sunday, the 26th February, from 9 A.M. until 9 P.M.

There will be no roll-call.

Every inhabitant will vote on presenting himself. The President of the voting Bureau will hand to every one, in exchange for this summons, a voting-paper of the same colour, of which the following is a model:—

Are you in favour of—

1. Universal suffrage at 21 years? (Janson's proppsal.)	
2. Universal suffrage at 25 years? (Nothomb's proposal.)	
3. The exclusion of persons in receipt of relief and of those who can neither read or write? .. (Graux's proposal.)	
4. Household and educational suffrage? (Government proposal.)	
5. The exclusion of those who have no elementary education (Frère Orban's proposal.)	

To Vote.

Insert a cross in pencil in the square which is opposite the *question of which you are in favour.*

(Signed)

N.B.—It is requested that this summons may be carefully kept, as without it no one will be permitted to take part in the voting.

Inclosure 5.

List of Voting Bureaux.

(Translation.)

IN order to facilitate the arrangements, you are requested to vote in one of the Bureaux of the section to which you belong. If you vote in another section, you will be obliged to establish your identity.

1st Section.

Nos. of the Bureaux.	
1	A la Barre de Fer, Rue Haute 340.
2	Au Cheval Blanc, Rue Haute 258.
3	A l'Etrille, Rue de Rollebeck 7.
4	A la Brasserie du Sablon, chez Abbeloos Grand Sablon 28.
5	Au Coq Tourné, Rue de Namur 16.
6	Chez Guillaume, Rue de la Prévoyance 1 (coin de la Rue des Minimes).
7	Au Château de Sibérie, Rue de la Samaritaine 41.
8	Au Palais de Justice, coin de la Rue d'Or 5.
9	Aux Raisins, Rue aux Laines 24.

2nd Section.

10	A la Cour d'Autriche, Avenue du Midi 118.
11	A la Fleur de Houblon, Rue Terre-Neuve 150.
12	Au Noyer, Rue des Tanneurs 404.
13	Au Chasseur, Rue Haute 133.
14	Chez Rentiers, Boulevard du Midi 119.
15	Aux Trois Chapeaux, Rue des Vers, 41.
16	A la Patte de Dindon, Rue du Poinçon 19.
17	Au Gigot de Mouton, chez Theys, Rue Haute 77.

3rd and 4th Sections.

18	Aux Armes de Bruxelles, chez Vansanten, Rue de l'Abattoir 46.
19	Chez Philippe Kamman, Porte de Flandre.
20	In den Vollen Pot-chez Grammen, Quai aux Barques 1 ; et Marché aux Pores 24.
21	A la Distillerie, chez Wauters, Rue de Laeken 138.
22	Au Château d'Or, chez Fr. Kamman, Rue Sainte-Catherine 28.
23	Café de la Terrasse, Boulevard du Hainaut, coin du Boulevard du Midi.
24	Café Teniers, Boulevard Anspach 83.
25	A la Demi-Lune, Rue Rempart des Moines 46.
26	Au Tivoli, Rue Auguste Orts 10.
27	Au Jardin des Fleurs, Rue des Six Jetons 82.
28	Au Chevreuil, chez J. B. Cosyns, Rue de la Verdure 4.
29	A la Cour de Tilmont, Rue de Laeken, coin du Boule- vard d'Anvers.

5th and 6th Sections.

30	Chez Vanden Perre, Rue Royale 196.
31	A la Réforme, Rue des Sables 18.
32	Au Peuple, Rue des Sables 35.
33	Chez Claessens, Rue de la Blanchisserie 31.
34	A la Chronique Galerie du Roi 5.
35	Café Métropole, Place de Broukière 45.
36	Café des Boulevards, Place Rogier.

7th and 8th Sections.

37	A la Bouteille de Brabant, Rue Cantersteen 22.
38	Au Manneken-Pis, Rue des Grands-Carmes 31.
39	Café Populaire, Vieille Halle aux Blés 24.
40	Au Cygne, Grand Place 9.
41	A la Fontaine, Rue du Marquis 3.
42	A l'Ancienne Bourse, Grand Place 19.
	Au Coq Tourné, Rue de Namur 16 (common to 1st, 7th, and 8th Sections).

9th and 10th Sections.

Nos. of the Bureaux.	
43	A la Belle Vue, au Rond Point de la Rue de la Loi.
44	A la Brasserie, Rue Livingstone 4.
45	Au Grand Veneur, Place du Luxembourg (coin de la Rue d'Arlon).
46	Maison Vide, Rue de Spa 16.
11th Section.	
47	Brasserie Vanderelst, Avenue Louise 539.
48	Chez Adelin André, Avenue Louise (coin de la Chaussée de Vleurgat).
	Aux Raisins, Rue aux Laines 24 (common to 1st and 11th Sections).

Inclosure 6.

Tabular Statement of Result of Referendum.

(Translation.)

REFERENDUM of Brussels (the whole of) February 26, 1893.

	Inscribed Voters.	Actual Voters.	Blanks.	For Janson's Scheme.	For Nothomb's Scheme.	For Graux's Scheme.	For Government Scheme.	For Frère Orban's Scheme.
General electors ..	20,438	8,779	..	5,080	2,355	630	364	211
Communal electors..	19,726	9,937	..	7,395	1,700	381	221	190
Non-electors | ..	73,080	41,649	..	36,091	3,729	639	435	501

RESULT of the Voting in the different Communes.

Brussels	39,819	22,273	125	18,128	2,908	643	275	194
Anderlecht ..	7,570	4,270	45	3,579	371	91	68	116
Laeken	5,914	2,739	27	2,256	265	56	55	63
Koekelberg ..	1,431	1,037	16	873	72	14	26	31
Molenbeek ..	11,204	6,919	82	5,827	590	134	144	142
St. Josse-ten-Noode	6,761	3,687	37	2,675	691	139	81	65
Ixelles	11,444	5,966	174	4,276	1,064	195	155	101
St. Gilles ..	9,751	5,620	55	4,544	676	178	79	83
Schaerbeek ..	13,395	5,967	..	4,643	877	183	97	92
Etterbeek ..	3,495	1,591	31	1,280	217	30	34	9
Boitsfort ..	1,054	549	5	468	53	8	8	7
Total	111,837	60,618	..	48,554	7,784	1,671	1,022	903

Inclosure 7.

French Text of the Discussion in the Municipal Council of Brussels of January 30, 1893.

[Not printed.]

BELGIUM. No. 1 (1893).

REPORT upon the Proceedings in connection with
the Referendum Vote upon Universal Suffrage,
which took place in Brussels and its Suburbs
on February 26, 1893.

*Presented to both Houses of Parliament by Command
of Her Majesty. April 1893.*

FURTHER CORRESPONDENCE

RESPECTING

BRITISH IMMIGRANTS IN BRAZIL.

[In continuation of "Commercial No. 9 (1892):" C. 6706.]

*Presented to both Houses of Parliament by Command of Her Majesty.
March 1893.*

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Further Correspondence respecting British Immigrants in Brazil.

[In continuation of "Commercial No. 9 (1892):" C. 6706.]

No. 1.

Mr. Wyndham to the Marquis of Salisbury.—(Received June 30.)

My Lord, *Rio de Janeiro, June 7, 1892.*
WITH reference to my despatch of the 9th ultimo,* I have the honour to transmit herewith translation of a communication from the Minister of the Interior to the Minister of Agriculture, Commerce, and Public Works, requesting that measures may be adopted by the Immigration Agents in Europe to induce domestic servants to come to Rio de Janeiro. Considering the very unsanitary condition of the city, and other considerations, such as lodging and food, I would strongly urge steps being taken to dissuade British subjects from coming to Rio de Janeiro as domestic servants.

I have, &c.
(Signed) HUGH WYNDHAM.

Inclosure in No. 1.

Extract from the "Diario Official" of June 1, 1892.

*Ministry of the Interior, 1st Section, Rio de Janeiro,
May 30, 1892.*

(Translation.)

WHEREAS this capital is, for obvious reasons, suffering from the withdrawal of those who devote themselves to domestic service, which is proved by the repeated complaints brought forward by the press and private persons against the defective qualities of those who among us devote themselves to the business of servants, and whereas this matter cannot be regulated, as was maintained at different times by the Police Department and Municipality, since this were contrary to the system of enactments laid down in accordance with Article 72, sec. 24, of the Federal Constitution, which guarantees the free exercise of any moral, intellectual, or industrial profession, and also because no motive of public expediency could justify restrictions being placed on this right by the exclusion of an entire class from the ordinary law of contract, which has, moreover, already been stated in an Order of the 4th June, 1891, I therefore beg that you will take steps in order that the necessary instructions may be given, through the proper Department, to our immigration and colonization agents in Europe, with a view to advising and facilitating the coming to this kingdom of foreigners accustomed to the employment referred to, who, by the ordinary means of registry offices, may supply the want indicated above.

(Signed) FERNANDO LOBO,
Minister of the Interior.

To the Minister of State for
Commerce, Agriculture, and Public Works, Rio de Janeiro.

No. 2.

Mr. Wyndham to the Marquis of Salisbury.—(Received July 2.)

My Lord,

Rio de Janeiro, June 11, 1892.

HER Majesty's Consul at Santos having sent me a short time ago a list of names of English persons believed to be in distress in the interior of the State of San Paulo, I addressed myself once more to the Rev. Mr. Hawksworth at San Paulo, and he has been kind enough to furnish me with information respecting some of the people who were, or had been, at the "fazenda," or plantation, "Vista Alegre," near San Carlos do Pital, the property of an English gentleman, Mr. George Wilmot. Mr. Wilmot appears to have been very kind to his compatriots, and none of those mentioned on Mr. Lyall's list as being at this fazenda were, I have found, in need of assistance. Indeed, of these a Mr. and Mrs. P. and M. M. had made money, and, nevertheless, had presented themselves as distressed Burnley emigrants at Rio de Janeiro, and were sent home at the expense of the Burnley Relief Fund.

I have not yet heard in what condition the other persons are mentioned on Mr. Lyall's list, but it is very possible that they are in more need of relief than were those at the above-named plantation. I think it, however, only right, in view of the many statements made by the emigrants as to having been so much deceived, to quote what Mr. Wilmot says in his letter to Mr. Hawksworth on this point. He states:—

"I write more than I otherwise would because I fear there will be hard times in England, and the immigration contracts being at so much per head, the active agents employed manage to avoid the conditions stipulated by Government for insuring the right kind of immigrants, and the immigrants also help to get themselves into trouble by misstating their occupation at the suggestion of the agent, and their great wish (of course, of those I have had to deal with) to come to Brazil was caused by reading, as some of them told me, a little book which was put into their hands.

"The statements in the book appear to be true, at all events, as respects this part of the country; all the advantages mentioned—those tempting advantages—are enjoyed by the people on my land; and the mistake was in the readers of the book thinking that they were for such men as themselves."

Whatever, however, the advantages offered, it is quite clear from experience made that English workmen are unfitted for field labour in Brazil, and I trust that the British emigration agencies will not relax their efforts to dissuade their countrymen from coming here.

I have, &c.
(Signed) HUGH WYNDHAM.

No. 3.

Mr. Mackenzie to Foreign Office.—(Received July 5.)

Sir,

3, Hope Street, Edinburgh, July 1, 1892.

I HAVE been asked to communicate with you on behalf of the widow and children of Mr. D. L., who went from this country to Brazil about two years ago.

Mr. L. died in March last, and left his widow and a large family of young children in utterly destitute circumstances. The widow applied to the Consul in Brazil for assistance to enable her to get back with the children to this country, and the Consul indicated that he would in all probability be able to arrange for their getting a free passage home.

I regret very much, however, that a letter has just been received from the eldest boy in which he states that there is little immediate prospect of their getting such assistance.

As the circumstances are very urgent, I brought the case before the notice of Mr. Buchanan, the Brazilian Consul here. He, however, expressed regret that he was not able to render any assistance, but recommended me to address you on the subject. I therefore take the liberty of so doing, and I trust that you will take up the matter at once, and use your influence in getting the widow and children brought home.

A communication from you to the Consul in Brazil would, I have no doubt, have the desired effect.

I am, &c.
(Signed) P. MACKENZIE.

No. 4.

Foreign Office to Mr. Mackenzie.

Sir, *Foreign Office, July 8, 1892.*
 I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 1st instant respecting the widow and children of a Mr. L., stated to be in destitute circumstances in Brazil.

I am to acquaint you, in reply, that his Lordship will gladly cause inquiry to be made as to the whereabouts and circumstances of the family in question with a view to their being afforded such assistance as may be possible, but the task of finding them would be materially facilitated if you could state at what place they were last heard of, and where the Consul resided to whom reference is made in your letter. There are Consular Representatives of Her Majesty's Government at Rio de Janeiro, Bahia, Pará, Pernambuco, Rio Grande do Sal, and Santos, besides a large number of Vice-Consuls at less important places, and the mere mention in your letter of "the Consul in Brazil" is insufficient to determine the precise locality to which instructions should be sent.

I am, &c.
 (Signed) T. V. LISTER.

No. 5.

Mr. Mackenzie to Foreign Office.—(Received July 11.)

Sir, *3, Hope Street, Edinburgh, July 9, 1892.*
 I HAVE to acknowledge receipt of your letter of the 8th instant, and am glad to learn that an interest will be taken in regard to the widow and children of the deceased D. L.

Mr. L.'s address was "Estacco de Castina, S. Paulo." I inclose a letter which Mrs. L. received from the firm whose service her husband had entered a week or two before his death. This letter was the first intimation Mrs. L. had received of her husband's death.

I regret that I cannot give you any information as to the Consul to whom Mrs. L. had made application for assistance. From the information above contained, however, you may be able to know this.

As the circumstances are very urgent, I trust that as little time as possible will be lost in rendering what assistance you can.

I am, &c.
 (Signed) P. MACKENZIE.

Inclosure in No. 5.

Mr. Wilson to Mrs. L.

Companhia McHardy, Campinas, S. Paulo, Brazil,
April 1, 1892.

Madam,

I SUPPOSE that you will be rather surprised to see by this note that your husband, D. L., died here on the 27th March, 1892. So he has left no money here, because it took all to pay his hotel bill. So, therefore, any particulars that you wish to know, you can only address your correspondence to—

JOHN WILSON,
 Companhia McHardy, Campinas.

P.S.—If I can do anything for you I shall only be too glad to do so.

J. W.

No. 6.

Foreign Office to Consul Lyall.

Sir,

Foreign Office, July 13, 1892.

I AM directed by the Marquis of Salisbury to transmit herewith copies of correspondence, as marked in the margin,* respecting the widow and children of a deceased man named L., stated to be in distressed circumstances, apparently in Santo Paulo.

I am to request you to endeavour to ascertain the whereabouts of this family, and to afford them such relief and assistance as may, in your judgment, be proper under the circumstances.

You are authorized to charge any sum so expended in your next quarterly account, supported as far as possible by the necessary receipts as vouchers.

I am, &c.
(Signed) T. V. LISTER.

No. 7.

Mr. Wyndham to the Marquis of Salisbury.—(Received July 23.)

My Lord,

Rio de Janeiro, June 28, 1892.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 30th ultimo,† and to inclose herewith copy of a note which I have to-day addressed to the Minister for Foreign Affairs asking for information as to the statement made by the Brazilian Consul at Cardiff in a letter sent by him to the English press, and published in Portuguese in the "Jornal do Commercio" of the 25th March last.

Mr. Abbott, Her Majesty's Consul-General here, informs me that several widows of emigrants have been repatriated by the Brazilian Government.

I have, &c.
(Signed) HUGH WYNDHAM.

Inclosure in No. 7.

Mr. Wyndham to Rear-Admiral Custodio de Mello.

M. le Ministre,

Rio de Janeiro, June 28, 1892.

THE attention of Her Majesty's Principal Secretary of State for Foreign Affairs has been called to a letter signed E. Deolke Fasciotti, Brazilian Consul at Cardiff, apparently sent by him to the English press and published in Portuguese in the "Jornal do Commercio" of the 25th March last, a copy of which translation is herewith inclosed.

The Marquis of Salisbury in addressing me on the subject of this letter states: "Leaving out of consideration the question of the climate of Brazil, which is a matter of opinion and dependent on different localities, I desire to call your attention to the statement—which is advanced as one of fact—that those who do not wish to remain in the country are even entitled to be sent back at the cost of the Government."

So far, M. le Ministre, as Her Majesty's Government are aware, the right of repatriation at the cost of the State can only be claimed by the category of persons enumerated in Article 17 of the Decree of the 28th June, 1890; and I learn from Her Majesty's Consul-General in this city that several persons coming under that category have been repatriated at the expense of the Government of the Republic.

But statements of the nature above referred to made by officials of the Brazilian Government largely tend to nullify the efforts which have been made by Her Majesty's Government from time to time to deter British subjects from emigrating to Brazil, for which country they are mostly unfitted, and if, as is believed in this instance, they do not correctly represent the true facts, they are all the more to be reprehended.

I am accordingly instructed by the Marquis of Salisbury to call your Excellency's attention to the Report in the "Jornal do Commercio" of this letter of the Brazilian Consul at Cardiff and to beg you to be so good as to inform me whether the statement made by him to which his Lordship has referred is accurate or otherwise.

I avail, &c.
(Signed) HUGH WYNDHAM.

* Nos. 3, 4, and 5.

† Parliamentary Paper, "Commercial No. 9, (1892)," p. 139.

No. 8.

Mr. Wyndham to the Marquis of Salisbury.—(Received July 23.)

My Lord, *Rio de Janeiro, June 29, 1892.*

WITH reference to my despatch of the 11th instant,* I have the honour to report that I yesterday received a further letter, dated the 24th instant, from the British Chaplain at San Paulo, stating that he had received no replies to his letters respecting the other emigrants mentioned to me by Mr. Lyall, and asking me whether he should let the matter drop.

I have thanked him for all the trouble he has so kindly taken, and have remarked that as those who had been at Mr. Wilmot's "fazenda" were not in need of assistance, it might be reasonably inferred that the others mentioned by Mr. Lyall were not in want either, and that it was needless under the circumstances to continue his inquiries.

It is, moreover, quite possible that many of these people were taken to England by Mr. Boyle, but that I cannot verify, as I have no list of the persons he repatriated.

I have, &c.

(Signed) HUGH WYNDHAM.

No. 9.

The Marquis of Salisbury to Mr. Wyndham.

Sir, *Foreign Office, July 26, 1892.*

I HAVE received your despatch of the 28th ultimo,† and I have to convey to you my approval of the terms of the note addressed by you to the Minister for Foreign Affairs, a copy of which is inclosed therein.

With regard to the statement made to you by Mr. Abbott, that several widows of emigrants have been repatriated by the Brazilian Government, I have to observe that several charges have appeared in the accounts sent home from Her Majesty's Legation at Rio for the passages of widows and their children. If those persons came under the category of widows and orphans who had lost their husbands or parents within a year of their arrival in Brazil, it would seem that they could claim to be repatriated at the cost of the Republic as a matter of absolute right under the Law printed on p. 14 of Parliamentary Paper "No. 19, Commercial, 1891," and the funds subscribed in this country or provided by Her Majesty's Government would thus be relieved by a corresponding amount which would be available for other categories of distressed emigrants. I presume this point has not escaped your notice and that of Her Majesty's Consuls in Brazil, and that whenever possible, an effort has been made to obtain from the Brazilian Government a fulfilment of their legal obligations in regard to widows and orphans of emigrants before having recourse to funds provided from other sources.

I am, &c.

(Signed) SALISBURY.

No. 10.

Mr. Wyndham to the Marquis of Salisbury.—(Received July 28.)

My Lord, *Rio de Janeiro, July 5, 1892.*

WITH reference to your Lordship's despatch of the 7th ultimo, I have the honour to report that the "Diario Official" of the 27th ultimo published the text of a Bill which has been presented to Congress to allow the immigration of Chinese and Japanese, and of foreign labourers from any country ("trabalhadores estrangeiros de qualquer procedencia"), into Brazil.

The Bill suggests that the Treaty with China of the 5th September, 1880, should be put into force; that a Treaty of Commerce, Peace, and Friendship should be concluded with Japan; that Diplomatic and Consular Agents should be established in those countries in order to prevent any abuses arising in the immigration to Brazil from there. This Bill has been ordered to be printed and to be included in the business before the Chambers; and I am told on good authority that the planters are supporting it with a view especially

of introducing Chinese labour, as the free negro will only work when it suits him to do so and as Europeans are unable to work in the States of Brazil which produce coffee and sugar, except in São Paulo, and as the Italians who have come in large numbers to that State are reported to be leaving it for the River Plate owing to yellow fever spreading inland from the coast, and to the very low rate of exchange prevailing, which renders it almost impossible for them to remit money to Italy. The "Paix" newspaper reports that, according to official statistics, 30,000 Italians had left São Paulo for the Argentine Republic between the 1st January and 28th June last.

I will watch the course of this Bill before Congress, and report to your Lordship if it passes.

At present the introduction of Asiatics and Africans into Brazil is prohibited by law.

I have, &c.

(Signed) HUGH WYNDHAM.

No. 11.

Mr. Wyndham to the Marquis of Salisbury.—(Received July 28.)

My Lord,

Rio de Janeiro, July 7, 1892.

WITH reference to your Lordship's despatches of the 27th November, 1891, and of the 20th February last,* I have the honour to inclose herewith the account, with vouchers, of the money which I have disbursed for the relief of Burnley emigrants, amounting to 64*l.* 6*s* 2*d.*, which will leave a balance in the hands of the Chief Clerk of 20*l.* 13*s.* 10*d.*†

Many Burnley emigrants have been relieved from other funds, as will be seen from the account and reports I have already addressed to your Lordship on this subject, which I trust may now be considered as closed.

I have, &c.

(Signed) HUGH WYNDHAM.

* Parliamentary Paper "Commercial No. 9 (1892)," pp. 59 and 99.

† Repaid to Mr. Race, November 18, 1892.

HER Majesty's Minister at Rio de Janeiro in account with Her Majesty's Secretary of State for Foreign Affairs.

BURNLEY EMIGRANTS' RELIEF FUND.

(Signed) HUGH WYNDHAM, Her Majesty's Minister.

Dated at Rio de Janeiro, 7th July, 1892.

Schedule I.

		£	s.	d.	Reis.
Voucher 1.	Four third class passages from Rio to Southampton per Royal mail steamer "Thames" ..	24	0	0	= 512\$000
" 2.	Money given to same four emigrants for travelling expenses from Southampton to Burnley ..	4	0	0	85 200
Total	.. .. .	28	0	0	597 200

Schedule II.

		£	s.	d.	Reis.
Voucher 1.	Passages of two emigrants per steam-ship "Iberia," April 16, 1892 (at 11½d.) ..	11	12	6	= 240\$000

Schedule III.

		£	s.	d.	Reis.
Voucher 1.	Passages of three emigrants per steam-ship "Galicia," May 12, 1892 (at 10½d.) ..	18	13	8	= 396\$000

Note.—The discrepancy in the equivalent of this sum in sterling, as stated in the voucher and the bill on the Chief Clerk, Foreign Office, is due to the value of the stamp having been included and to the difference in the rate of exchange on the date when the bill was drawn to the rate prevailing when the passages were taken.

Schedule IV.

		£	s.	d.	Reis.
Voucher 1.	Repatriation of one emigrant, John S., per "Lusitania," May 25, 1892 (at 10½d.) ..	6	0	0	= 132\$000

No. 12.

Mr. Wyndham to the Marquis of Salisbury.—(Received July 28.)

My Lord, *Rio de Janeiro, July 8, 1892.*

WITH reference to my despatch of the 28th ultimo,* I have the honour to report to your Lordship that I have received a note from the Brazilian Minister for Foreign Affairs, in which his Excellency states that, in order to furnish me with correct information in regard to the statements contained in the letter of the Brazilian Consul at Cardiff, he has referred the matter to the Immigration Department of the Government.

I have, &c.
(Signed) HUGH WYNDHAM.

No. 13.

Mr. Wyndham to the Marquis of Salisbury.—(Received August 10.)

My Lord, *Rio de Janeiro, July 12, 1892.*

WITH reference to the instructions contained in your Lordship's despatch of the 7th ultimo,† I have the honour to inclose an order published in the "Diario Official" of to-day of the Minister of Agriculture, Commerce, and Public Works, amplifying the instructions already given as to the propaganda for the colonization of the States in the North of the Republic. I have also the honour to inclose a translation of that document.

The majority of the Committee of the Congress on Public Works and Colonization has pronounced against the Bill, which, if passed, would admit amongst other immigrants Chinese, Japanese, and Africans, and which immigration is at present forbidden by Articles 1, 2, 3 & 4 of the Decree No. 528 of the 28th June, 1890.

I have, &c.
(Signed) HUGH WYNDHAM.

Inclosure in No. 13.

Extract from the "Diario Official" of July 12, 1892.

(Translation.)

IMMIGRATION INTO NORTHERN STATES OF BRAZIL.—The Minister of State for Agriculture, Commerce, and Public Works, in the name of the Vice-President of the Republic, amplifying the instructions contained in the Minute of the 31st May last, decides to approve the accompanying instruction to the Commissions charged with the work of propaganda for the colonization of the Northern States of the Republic.

(Signed) **SERZEDELLO CORRÊA.***Federal Capital, July 6, 1892.**Instructions to which the Minute of this date refers.*

1. The Commissions charged with the work of propaganda shall be three in number. The first, whose seat shall be at Pará, shall include the States of Pará, Amazonas, Maranhão, and Piauí; the second, whose seat shall be at Ceará, will include the States of Ceará, Rio Grande do Norte, Paraíba, and Sergipe; and the third will include the States of Pernambuco, Alagoas, and Bahia, having its seat at Alagoas.

2. Each of these Commissions will be equally intrusted with the establishment of a first nucleus of attraction in one of the States with the propaganda of which it may be intrusted, indicating for this purpose the best ground, regard being had to climatic conditions, fertility of soil, and facility of means of communication.

3. The favours mentioned in the Regulation approved by Decree No. 3784 of the 19th December, 1867, chapters 1 and 3, will be conceded to each of these three centres.

4. The Commissions to which the present instructions refer shall be composed of a President, who shall serve gratuitously, of two assistant engineers, who will each receive a monthly salary of one conto of reis, of a secretary at a salary of 800 milreis per month, and of a surveyor charged with measuring and marking out the lots, at a monthly salary of 500 milreis.

5. The expenses attaching to this service and to the localization of fifty families for each centre up to a maximum of 150,000 milreis, will be on account of the amount voted by law for the service of immigration and colonization, the Presidents of each Commission being charged with soliciting from the Treasury the payment of any expense which may have to be incurred on account of material, staff, office expenses, publishing, &c.

(Signed) **SERZEDELLO CORRÊA.***Federal Capital, July 6, 1892.*

No. 14.

*Foreign Office to Board of Trade.**

Sir,

Foreign Office, August 15, 1892.

I AM directed by the Marquis of Salisbury to acquaint you, for the information of the Board of Trade, that his Lordship has received a telegram from Her Majesty's Chargé d'Affaires at Rio de Janeiro, in which he states that the Brazilian Government have signed a Contract with a private Company for introducing 1,000,000 immigrants from Europe and Spanish and Portuguese Colonial possessions.

I am, &c.

(Signed) **JAMES W. LOWTHER.**

No. 15.

Emigrants' Information Office to Foreign Office.—(Received August 18.)

Sir,

31, Broadway, Westminster, August 17, 1892.

ON behalf of the Managing Committee of this Office, I have the honour to acknowledge the receipt of your letter of the 15th instant, reporting that a telegram has been

* Also to Emigrants' Information Office.

received from Her Majesty's Chargé d'Affaires at Rio de Janeiro to the effect that the Brazilian Government have signed a Contract with a private Company for the introduction of 1,000,000 immigrants into Brazil.

My Committee would be glad to receive as early an intimation as possible of any steps which may be taken under this Contract, especially if there is any probability of attempts being made to recruit emigrants from the United Kingdom or the British Colonies.

I have, &c.
(Signed) C. P. LUCAS.

No. 16.

Board of Trade to Foreign Office.—(Received August 22.)

Sir, *Board of Trade, London, August 20, 1892.*

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 15th instant, stating that a telegram has been received by the Secretary of State from Her Majesty's Chargé d'Affaires at Rio de Janeiro to the effect that the Brazilian Government have signed a Contract with a private Company for introducing 1,000,000 emigrants from Europe and Spanish and Portuguese Colonial possessions.

In view of the dangers which appear to attend emigration from this country to Brazil, the Board regard it as very important that full information should be obtained as to this action on the part of the Brazilian Government, and any steps which may be taken in pursuance thereof, and they would be much obliged if the detailed particulars, which it is assumed will be obtained by Her Majesty's Consular authorities, may be communicated to this Department as early as possible.

I have, &c.
(Signed) R. GIFFEN.

No. 17.

Foreign Office to Board of Trade.

Sir, *Foreign Office, August 24, 1892.*

IN reply to your letter of the 20th instant respecting Brazilian colonization schemes, I am directed by the Earl of Rosebery to refer you to papers numbered 214 and 215 in the accompanying Blue Book,* and to the warning issued in consequence on the 1st July last (Appendix, p. 141).

Since that date two further despatches have been received from Her Majesty's Minister at Rio on the same subject, copies of which are inclosed.† Any further information received on this subject will be duly communicated to the Board of Trade and to the Emigrants' Information Office.

The Board of Trade will observe, on referring to the correspondence included in the Blue Book, and especially to the Brazilian Minister's note of the 28th March last (p. 118), that the Brazilian Government do not appear to have any Agents now in the United Kingdom for the purpose of inducing emigrants to proceed to Brazil.

I am, &c.
(Signed) EDWARD GREY.

No. 18.

Mr. Greville to the Marquis of Salisbury.—(Received September 6.)

My Lord, *Rio de Janeiro, August 12, 1892.*

I HAVE the honour to transmit herewith to your Lordship translation of a Contract between the Brazilian Government and a private Company here, which was signed on the 2nd instant, for the introduction of 1,000,000 immigrants from Europe and the colonial possessions of Spain and Portugal.

I would beg to draw your Lordship's special attention to the latter part of clause 6 whereby the contracting Company engage to procure immigrants of different nationalities,

and also to clause 10, which states that immigrants will be taken to Pernambuco, Bahia, and Victoria, the last being the capital of the neighbouring State of Espírito Santo, all three places being situated on the tropical part of the Brazilian coast.

In view of the great suffering which has followed in the wake of the ill-starred British immigration into this country, I have thought it my duty to telegraph to your Lordship, and respectfully suggest that the warnings to British emigrants should be resumed.

I have, &c.

(Signed) GEORGE GREVILLE.

Inclosure in No. 18.

Extract from the "Diario Official" of August 5, 1892.

(Translation.)

Contract between the Federal Government of the United States of Brazil and the Metropolitan Company ("Companhia Metropolitana") for the Introduction of 1,000,000 Immigrants.

ON the 2nd day of the month of August, 1892, present in the Office of the Secretary of State for Agriculture, Commerce, and Public Works at the Federal capital, Dr. Innocencio Serzedello Corrêa, Minister of State for the Affairs of the said Department, on behalf of the Federal Government of the United States of Brazil, and the Metropolitan Company, being represented by their Chairman, the Engineer Carlos Augusto de Miranda Jordão, agreed to contract for the introduction of 1,000,000 immigrants coming from Europe and Portuguese and Spanish possessions on the following terms:—

1. The Metropolitan Company engages to introduce into the ports of Brazil 1,000,000 immigrants, coming from Europe and Portuguese and Spanish possessions, within a period of ten years, to count from the 1st January, 1893.

2. The annual introduction may not exceed 100,000 immigrants, or be less than 50,000; those numbers may, however, be increased or diminished up to 50 per cent. should the Government think fit, the latter to give at least four months' previous written notice.

3. Should the Government authorize the introduction of a greater number than 100,000 immigrants per annum, the present Contract will be considered as terminated as soon as the number of immigrants specified by clause 1 (100,000) shall have been introduced.

4. Should the Government decide to reduce the number, the present Contract shall last until the number of immigrants fixed by clause 1 shall have been introduced.

5. The maximum reduction of the number to be introduced annually which can be made by the Government being 50 per cent., it is understood that the maximum period for which the present Contract may be prolonged must not exceed ten years.

6. The contracting Company engages to introduce families of immigrants being agricultural labourers in a proportion of 90 per cent., and 10 per cent. artisans; and must procure the arrival of immigrants of different nationalities, the maximum annual number allowed for each nationality being 60 per cent.

The calculation of these proportions will be made annually.

7. The families shall be made up as follows:—

(1.) Married couples with or without children, sons-in-law, or younger brothers, their grandparents.

(2.) Widowers or widows, with children or step-children, and their grandparents; it being necessary that in this case there should be one able-bodied man at least.

(3.) Grandparents, with their children or grandchildren, there being always one able-bodied man among the number.

(4.) Husband, wife, or children, of whose family at least one member is already established in Brazil, and who come in response to a request from that relation.

(5.) Persons specified in Decree No. 68 of the 31st March, 1891.

(6.) Married couples coming alone must be quite able-bodied, and not be above 45 years of age.

8. Immigrants coming at the request of relations already established in Brazil, or required by the Inspectorate-General of Lands and Colonization, shall be preferred by the contracting Company, such immigrants being, however, required to fulfil the conditions stipulated for by clause 7.

9. The immigrants and their baggage, as well as the documents by which they must be accompanied, shall be handed over at the ports of destination to agents of the Inspectorate-General of Lands and Colonization. They may be kept on board for twenty-four hours, counting from the entry of the steamer, whenever circumstances may require, the contracting Company not being entitled to any indemnity.

10. The immigrants will be introduced at the ports of Pernambuco, Bahia, and Victoria, according to the decision of the Government, announced at least sixty days beforehand, and as soon as there are more than 100 immigrants for one port.

Failing notice, the immigrants will be brought to the ports of this capital and Santos, in the State of San Paulo, according to their destinations, they being transported by the Government to other ports of the Republic.

11. The contracting Company engages to repatriate within thirty days from the date of their arrival, and at its own expense, immigrants whom it has brought under other than the terms of this Contract. Should the Company fail to do this, the repatriation shall be effected by the Government at the Company's expense, the Company incurring a fine corresponding to the amount of passage-money for each immigrant who has to be repatriated. Should, however, the immigrant to be repatriated be able-bodied, well-behaved, without physical defect, and industrious, the Company need not repatriate him provided the said immigrant prefer to settle in Brazil, and make a declaration to that effect before the agents of the Inspectorate-General of Lands and Colonization.

12. The transport of the immigrants shall be effected in first-class steamers, provided with proper accommodation, where all the rules laid down by the Board of Health shall be observed.

On the arrival of each vessel for the first time at the ports of the Republic, she shall be examined, and her condition for the transport of immigrants and the number she can conveniently carry be verified.

The Company will be advised of the result in order that the recommendations prescribed may be carried out.

13. The voyages of steamers made direct from the ports of Italy to Rio de Janeiro or Santos may not exceed twenty-two days, and from Lisbon or Oporto eighteen days.

14. The food supplied on board to the immigrants must be wholesome and abundant. Parties of more than 100 persons must be accompanied by a physician. All the steamers are to be furnished with medical and surgical appliances.

15. The immigrants must be accompanied by their baggage.

The non-fulfilment of this condition can only be allowed for a justifiable reason, and in any case the delivery of the missing baggage must not be delayed longer than a month after the immigrant's arrival.

The contracting Company shall at the port of embarkation furnish a receipt for the baggage delivered to it, the number of packages being marked on a list, which shall be certified to by the Consul.

16. The Federal Government will pay the contracting Company the sum of 6*l.* 15*s.* for the passage of an immigrant of 12 years and upwards, 3*l.* 7*s.* 6*d.* for immigrants from 7 to 12 years inclusive, and 1*l.* 13*s.* 9*d.* for immigrants from 2 to 7 years inclusive.

Children of 2 years of age shall be carried free, and shall not be included in the total number of immigrants mentioned in clause 1. To the above prices will be added those of 1*l.*, 10*s.*, and 5*s.* respectively when immigrants continue their journey from the port of this capital, or from that of Santos, to the ports of Paranaguá (State of Paraná), Desterro (State of Santa Catharina), or when proceeding direct to these ports.

17. The payment referred to in the preceding clause shall be made wholly within thirty days from the immigrants' arrival, in the following way:—

(1.) Within the first twenty days 90 per cent., the contracting Company having to present the lists mentioned in clause 19 and the certificate of the agent of the Inspectorate-General of Lands and Colonization, who is charged with receiving the immigrants on board the steamer.

(2.) Within the next ten days the remaining 10 per cent., as a final settlement of the account presented.

(3.) The contracting Company shall send in a request for payment of the 90 per cent. to the Inspectorate-General of Lands and Colonization, supported by the papers required by this Contract, within five days from the steamer's arrival, and within twenty days for the remaining 10 per cent.

(4.) The agent of the Inspectorate-General of Lands and Colonization must furnish the certificate mentioned in paragraph (1) within a maximum period of three days, that required by paragraph (2) within 10 days.

18. The contracting Company will contribute 1*s.* for the passage of an immigrant above

12 years of age, 6*d.* for those from 7 to 12 years, and 3*d.* for those from 2 to 7 years, towards the expenses of the Government supervision ("fiscalisação") over the present Contract and of the legalization of Consular documents.

19. On the arrival of each steamer at its destination, the agent of the Inspectorate-General of Lands and Colonization shall be furnished by the contracting Company with a duplicate list containing the name, age, nationality, profession, religion, and degree of relationship of the immigrant, together with the name, &c., of the head of the family, the said list to be certified to at the port of embarkation with a declaration to the effect that the immigrants have not paid any sum of money for their passages, or under any pretext whatsoever. For the certification of these lists, the contracting Company shall present the Consular Agent with the documents which may be necessary and which are customary.

The lists authenticated by the Consul, and the final certificate passed by the agent of the Inspectorate-General of Lands and Colonization, are the sole documents required in order that the contracting Company may solicit and receive payment of the amount of the passage-money.

20. Steamers specially employed in the transport of immigrants shall enjoy the privileges conceded to mail-packets.

21. In case of *force majeure*, such as necessary putting into port, marine casualties, blockades, quarantine, internal disturbance, the prohibition or hindering of the departure of immigrants on the part of foreign Governments, or any other impediments provided for by law, the period stipulated for in clause 1 shall be prolonged by agreement between the Government and the contracting Company.

22. The infraction of the clauses stipulated for in this contract shall subject the Contracting Company to a fine of 100*l.* to 300*l.*, according to the gravity of the fault.

The non-observance, however, of clause 2 shall subject the Company to the rescission of the present Contract, saving the cases of *force majeure* provided for in clause 21.

23. The fines with which the preceding clause deals shall be imposed by the Inspectorate-General of Lands and Colonization with an appeal to the Minister of State for Agriculture, Commerce, and Public Works.

The immediate supervision of the present Contract falls upon the Inspectorate-General of Lands and Colonization and its agents in Brazil, and abroad.

24. The questions which may arise between the Federal Government and the contracting Company in regard to the rights and obligations arising out of the present Contract, and which cannot be settled by common agreement, shall be decided by Arbitrators named by both contracting parties. In the event of a disagreement between the two Arbitrators, a third shall be drawn by lot from two names assigned by the Arbitrators.

25. As regards everything which is not specifically laid down in the present Contract, the provisions of chapter 1 of Decree No. 528 of the 28th June, 1890, which regulated the service of the introduction of immigrants, shall apply thereto.

26. The present Contract being concluded in substitution of those which had been concluded on the 3rd, 4th, and 7th December, 1888, with Conde de Figueiredo, Joaquim Caetano Pinto, Junior, Francisco B. M. Topin, A. Fiorita, Fonseca and Cunha, José Autunes dos Santos and Co., and Jacomo Nicolau Vicenzi and Sons, which Contracts have this day been rescinded, the provisions of Article 1 of Decree No. 1187 of the 20th December, 1890, is not applicable to this said Contract.

The contracting Company shall have the preference, under like conditions, to conclude new Contracts of a similar nature which may have to be concluded.

It being impossible to prefix the amount of the present Contract for payment of the corresponding stamp, the contracting Company shall be bound to pay this tax on each and every sum which it may have to receive from the Public Treasury by virtue of the execution of this Contract.

And being thus agreed, the Minister ordered the present Contract to be drawn up, which he signs with the above-mentioned Metropolitan Company, duly represented, and with the witnesses, Dr. Camillo Liberalli and Antonio Augusto de Aranjó Lima, and with me, A. José Caetano, Junior, which I have written.

(Sealed and duly signed)

SERZEDELLO CORRÊA.

C. A. DE MIRANDA JORDAO.

DR. CAMILLO LIBERALLI.

A. A. DE ARANJO LIMA.

A. JOSÉ CAETANO, Junior.

Mr. Greville to the Marquis of Salisbury.—(Received September 6.)

My Lord,

Rio de Janeiro, August 16, 1892.

WITH reference to my despatch of the 12th instant,* I have the honour to transmit herewith to your Lordship translation of a Notice which appeared in the "Diario Official" of the 14th instant, stating that a despatch from the Brazilian Consul at Cardiff advocating the establishment of Welsh Colonies in Brazil had been laid before Congress.

In connection with this subject and with the letter to the English press on the subject of emigration, bearing the signature of the Brazilian Consul at Cardiff, I shall take an early opportunity of pressing the Acting Minister for Foreign Affairs for a definite answer to Mr. Wyndham's note of the 28th June last, copy of which was transmitted to your Lordship in his despatch of the 28th June last.†

I have, &c.

(Signed) GEORGE GREVILLE.

Inclosure in No. 19.

Extract from the "Diario Official" of August 14, 1892.

—(Translation.) —

Department of Agriculture.—Minute of August 12, 1892.

IN compliance with the request made to this Ministry by our Consul at Cardiff, there has been forwarded to the First Secretary of the Chamber of Deputies, in order to be laid before the said Chamber, the despatch in which the said Consul sets forth the advantages of the introduction into this Republic of Welsh immigrants in order that Colonies may be founded with them similar to those which have been established in the United States of North America, in Canada, and in various English possessions.

No. 20.

Foreign Office to Board of Trade.‡

Sir,

Foreign Office, September 9, 1892.

WITH reference to your letter of the 20th ultimo respecting a Contract signed by the Brazilian Government with a private Company for the introduction of 1,000,000 immigrants into Brazil, I am directed by the Earl of Rosebery to transmit to you, for the information of the Board of Trade, a copy of the despatch on the subject which has now been received from Her Majesty's Chargé d'Affaires at Rio de Janeiro.* I am to inquire whether, in the opinion of the Board of Trade, any renewed warning should be issued cautioning British emigrants against going to Brazil.

I am to explain, with regard to the last paragraph in this despatch, that, until the receipt of details, it was thought inexpedient to ask the Board of Trade to act on the suggestion made in Mr. Greville's telegram as to issuing a warning in regard to this scheme.

I am, &c.

(Signed) T. H. SANDERSON.

No. 21.

The Earl of Rosebery to Mr. Greville.

Sir,

Foreign Office, September 14, 1892.

I HAVE received your despatch of the 16th ultimo, relative to the endeavours of the Brazilian Consul at Cardiff to promote Welsh emigration to Brazil. I approve

* No. 18.

† See No. 7.

‡ Also to Emigrants' Information Office.

your intention to renew the request for explanations as to the statement made by the Consul, that immigrants who do not wish to remain in Brazil are entitled to be sent home at the cost of the Brazilian Government.

With regard to the proposal to establish colonies of Welsh immigrants in Brazil, Her Majesty's Government cannot but consider that, in view of the general unfitness of British emigrants for the climate and conditions of life in Brazil and the wretched state to which so many of them have been reduced there, the proceedings of the Brazilian Consul at Cardiff in advocating such a scheme are ill advised, and that it would be the duty of the British authorities to do what is in their power to warn British subjects against projects which are likely to terminate in disastrous results to themselves.

I have to request that you will inform the Brazilian Government accordingly, and express the hope that they will disavow the efforts of their officer for this purpose, and instruct him to discontinue them.

I am, &c.
(Signed) ROSEBERY.

No. 22.

Emigrants' Information Office to Foreign Office.—(Received September 14.)

Sir, 31, Broadway, Westminster, September 13, 1892.

I AM directed by the Committee of Management of the Emigrants' Information Office to acknowledge your letter of the 9th instant, transmitting a copy of a despatch received from Her Majesty's Chargé d'Affaires at Rio de Janeiro on the subject of the introduction of immigrants into Brazil.

With reference to your inquiry as to the desirability of issuing a fresh warning to emigrants, I am to state that the Committee propose to send at once the following Notice* for insertion in the newspapers, and a similar one to the large post-offices for exhibition. It is also proposed to insert an abridged warning in the next quarterly poster, viz., that of the 1st October, which is exhibited in all post-offices.

The Committee would be obliged by your informing them as soon as convenient whether you approve of the terms of the proposed Notice.

I am, &c.
(Signed) WALTER B. PATON,
Editor of Publications.

No. 23.

Consul Lyall to Foreign Office.—(Received September 15.)

(Extract.)

Sir, Santos, August 23, 1892.
I HAVE the honour to acknowledge the receipt of your despatch, dated the 13th July,† respecting Mrs. L., and inclosing correspondence with Mr. Mackenzie, of Edinburgh, and Mr. Wilson, of Campinas.

I am in correspondence with Mrs. L.; the family is getting on tolerably at present, the three eldest boys having obtained employment, but they are not at all comfortable, and complain that all the other English people at Villa Castina have left.

Mrs. L. adds that they are considerably in debt to the owner of the "fazenda," or plantation, on which they are working.

No. 24.

Board of Trade to Foreign Office.—(Received September 16.)

Sir, Board of Trade, London, September 15, 1892.

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 9th instant, forwarding copy of a despatch from Her Majesty's Chargé d'Affaires at Rio de Janeiro on the subject of a Contract between the Brazilian Government and a

private Company (together with a copy of the Contract itself) for the introduction of 1,000,000 immigrants into Brazil.

In reply to your inquiry as to whether, in the opinion of this Board, it would be desirable to issue renewed warnings to intending British emigrants to Brazil, I am to request that you will be good enough to inform the Earl of Rosebery that the Board propose, if there is no objection on the part of the Foreign Office, to publish the Contract in full in the next issue of their monthly journal, prefixing a paragraph repeating the substance of the warnings already issued, and to take steps with a view to calling the attention of the principal London newspapers and press agencies to the particulars published.

The Board would also suggest that it might be desirable for the Foreign Office to bring the facts under the notice of the Emigrants' Information Office, as it appears to be a matter for the consideration of that Department whether, in view of this Contract and efforts which may possibly be made by the contracting Company's agents to induce intending emigrants to go to Brazil, renewed warnings should not be issued from that Office.

The Board would further suggest that, as this Contract is to run for a term of years, it might be well for any such warnings from the Emigrants' Information Office to be repeated from time to time should circumstances seem to require the adoption of such a course.

I have, &c.
(Signed) R. GIFFEN.

No. 25.

Foreign Office to Emigrants' Information Office.

Sir, *Foreign Office, September 16, 1892.*

IN reply to your letter of the 13th instant, I am directed by the Earl of Rosebery to state that his Lordship concurs in the terms of the Notice which the Committee of Management propose to publish warning emigrants not to go to Brazil.

The draft Notice is herewith returned.

I am, &c.
(Signed) T. H. SANDERSON.

No. 26.

Foreign Office to Emigrants' Information Office.

Sir, *Foreign Office, September 19, 1892.*

WITH reference to my letter of the 16th instant, I am directed by the Earl of Rosebery to transmit to you, for the consideration of the Committee of Management of the Emigrants' Information Office, a letter from the Board of Trade,* containing suggestions as to the course which the Committee might take, in repeating from time to time warnings to intending British emigrants to Brazil.

I am to add that the Board of Trade have been informed that your Department intend to issue a further Notice on the subject.

I am, &c.
(Signed) T. H. SANDERSON.

No. 27.

Foreign Office to Board of Trade.

Sir, *Foreign Office, September 19, 1892.*

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 15th instant, on the subject of the Contract between the Brazilian Government and a private Company for the introduction of 1,000,000 emigrants into Brazil; and to request you to inform the Board of Trade that his Lordship concurs in the

course which they propose to adopt with a view to warning intending British emigrants to Brazil.

The Emigrants' Information Office are about to issue a further Notice on the subject, and their attention will be called to the suggestions made in your letter.

I am, &c.
(Signed) T. H. SANDERSON.

No. 28.

Emigrants' Information Office to Foreign Office.—(Received September 23.)

Sir, 31, Broadway, Westminster, September 22, 1892.

I HAVE the honour, by direction of the Committee of Management, to acknowledge the receipt of your letter of the 16th instant, stating that the Earl of Rosebery concurred in the terms of the Notice intended to be published warning emigrants not to go to Brazil, and, in reply, to forward six copies of such Notice,* and to state that copies have been forwarded to the newspapers and General Post Office for distribution in the usual way.

I have, &c.
(Signed) JOHN PULKER, *Chief Clerk.*

No. 29.

Emigrants' Information Office to Foreign Office.—(Received September 24.)

Sir, 31, Broadway, Westminster, September 23, 1892.

I HAVE the honour, by direction of the Committee of Management, to acknowledge the receipt of your letter, dated the 19th instant, forwarding a letter from the Board of Trade containing suggestions as to the course the Committee might take in repeating the warnings to intending British emigrants to Brazil, and stating that the Board of Trade had been informed that the Committee intended to issue a further Notice on the subject, and, in reply thereto, to state that the warning has now been issued as stated in my letter of the 22nd instant, and copies thereof have been sent to the Board of Trade, for their information.

I am, &c.
(Signed) JOHN PULKER, *Chief Clerk.*

No. 30.

Mr. Greville to the Marquis of Salisbury.—(Received September 26.)

My Lord, Rio de Janeiro, August 30, 1892.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 26th ultimo† respecting the repatriation of emigrant widows and orphans who had lost their husbands or parents within a year of their arrival in Brazil.

On the 22nd instant I addressed a Circular to Her Majesty's Consuls in the sense of your Lordship's despatch, and I have since received replies from Her Majesty's Consul-General at Rio de Janeiro and Her Majesty's Consul at Santos.

Mr. Abbott states that in every case in which he had ascertained that emigrants of this category wished to return to England, he had applied to the Brazilian Emigration to repatriate them, and that these authorities had invariably fulfilled their obligations in that respect.

Mr. Lyall's complains of the great difficulties he invariably encounters when applying for assistance from the local authorities.

I have, &c.
(Signed) GEORGE GREVILLE.

Foreign Office to Mr. Mackenzie.

Sir,

Foreign Office, September 28, 1892.

WITH reference to the letter from this Department of the 8th July last, I am directed by the Earl of Rosebery to inform you that a despatch has been received from Her Majesty's Consul at Santos respecting Mrs. L. and her children. The family is stated to be getting on tolerably well at present, and the three elder boys to have obtained employment; but they say that they are not at all comfortable, and complain that all the other English people have left Villa Castina. The Ls. are also stated to be considerably in debt to the owner of the plantation on which they are working. The Consul has been instructed to report the amount of the debts, as it is not improbable that those who are interested in these poor people might raise a small subscription to pay the amount owing, which cannot, in the nature of things, be large. It might then be possible to send the Ls. home at the public expense if they are destitute, which does not clearly appear from the Consul's despatch. The debts cannot be charged to public funds, and it may be assumed that they would hardly be allowed to leave Brazil without discharging them.

I am, &c.

(Signed) EDWARD GREY,

No. 32.

Foreign Office to Consul Lyall.

Sir,

Foreign Office, September 29, 1892.

WITH reference to your despatch of the 23rd ultimo respecting Mrs. L. and family, who emigrated from this country to Brazil, I am directed by the Earl of Rosebery to state to you that the information contained in your despatch has been communicated to the persons interested in the family. If the Ls. are destitute, which does not clearly appear from your despatch, and wish to be sent home, passages should be procured for them, but their debts not being chargeable to public funds, an inquiry will be made of their friends in this country as to whether a small subscription might not be raised to pay them, and thus enable these poor people to come home. I am therefore to request you to report the amount of these debts by telegram.

I am, &c.

(Signed) EDWARD GREY.

No. 33.

Mr. Mackenzie to Foreign Office.—(Received October 1.)

Sir,

3, Hope Street, Edinburgh, September 30, 1892.

I HAVE to acknowledge receipt of your letter of the 28th instant, and I carefully note your remarks in regard to Mrs. L. and her children.

I also note the further instructions which you have been good enough to forward to Her Majesty's Consul at Santos, and when you get the further information asked for I shall feel much obliged by your communicating it to me. I think it is probable that those interested in the poor people would raise sufficient money to pay the debts referred to, unless indeed these debts should amount to a considerable sum.

I think the Consul will be quite able to satisfy you that the Ls. are in such a destitute condition that they should be sent home at the public expense, and I shall be glad to hear further from you on the subject when your next Consul's despatch comes to hand.

I am, &c.

(Signed) P. MACKENZIE.

No. 34.

Emigrants' Information Office to Foreign Office.—(Received October 10.)

Sir, 31, Broadway, Westminster, October 8, 1892.
I HAVE the honour, by direction of the Committee of Management of this Office, to acknowledge the receipt of your letter, and inclosure, dated the 17th September last, respecting the proposed Welsh immigration into Brazil, and, in reply, to state that the inclosed letter has been inserted in the "Western Mail" (Cardiff), and the "South Wales Daily News."

I am, &c.
(Signed) JOHN PULKER, Chief Clerk.

Inclosure in No. 34.

Proposed Welsh Colonies in Brazil.

A WARNING.

To the Editor.

*Emigrants' Information Office, 31, Broadway, Westminster,
October 3, 1892.*

Sir, THE Managing Committee of this Office having been advised that a despatch has been addressed to the Brazilian Government by one of their Consuls in the United Kingdom advocating the establishment of Welsh colonies in Brazil, I beg to inclose a copy of a Notice which the Committee have lately issued warning intended emigrants from Great Britain against going to Brazil. Recent British emigration to that country has resulted in great suffering and distress, and it is earnestly hoped that no British subject will be induced by any scheme, however promising, to incur the risk of further disaster.

Trusting that you will give publicity to this warning, I am, &c.

(Signed) C. P. LUCAS.

The Notice referred to is as follows:—

[See Appendix No 5.]

No. 35.

The Earl of Rosebery to Mr. Greville.

Sir, Foreign Office, October 11, 1892.
I TRANSMIT herewith, for your information, a copy of a letter, and its inclosure, from the Emigrants' Information Office,* to which Department I caused your despatch of the 16th August, respecting Welsh emigration to Brazil, to be referred.

I am, &c.
(Signed) ROSEBERY.

No. 36.

Mr. Greville to the Earl of Rosebery.—(Received October 12.)

(Extract.)

Rio de Janeiro, September 15, 1892.

WITH reference to my despatch of the 16th ultimo,† I have the honour to report to your Lordship that I saw the Director-General of the Ministry for Foreign Affairs yesterday, and again pressed him for a reply to Mr. Wyndham's note of the 28th June, copy of which was forwarded to Lord Salisbury in his despatch of the same date, in regard to the statement made in a letter to the English press by the Brazilian Consul at Cardiff to the effect that immigrants into this country who do not wish to remain are entitled to be repatriated at the cost of the Brazilian Government.

The Visconde de Cabo Frio told me that no reply had yet been received from the Immigration Department, but that he would again send them a reminder.

No. 37.

Mr. Greville to the Earl of Rosebery.—(Received November 15.)

My Lord,

Rio de Janeiro, October 15, 1892.

I HAVE the honour to transmit herewith to your Lordship copy of a note which I have addressed to the Acting Minister for Foreign Affairs relative to the endeavours of the Brazilian Consul at Cardiff to promote Welsh emigration to Brazil, in accordance with the instructions contained in your Lordship's despatch of the 14th ultimo.*

I have, at the same time, pressed his Excellency for a reply to Mr. Wyndham's note of the 28th June last respecting M. Fasciotti's statements in regard to the repatriation of emigrants.

I have, &c.

(Signed) GEORGE GREVILLE.

Inclosure in No. 37.

Mr. Greville to Admiral de Mello.

M. le Ministre,

Rio de Janeiro, October 14, 1892.

ON the 14th August last there appeared in the "Diario Oficial" a Notice, of which I have the honour to inclose a copy, stating that a despatch from the Brazilian Consul at Cardiff advocating the establishment of Welsh colonies in Brazil had been laid before Congress.

I transmitted a copy and translation of this Notice to Her Majesty's Principal Secretary of State for Foreign Affairs, and I have now been instructed by his Lordship to point out to your Excellency that Her Majesty's Government cannot but consider that, in view of the general unfitness of British emigrants for the climate and conditions of life in Brazil, and the wretched state to which so many of them have been reduced there, the proceedings of the Brazilian Consul at Cardiff in advocating such a scheme are ill-advised, and that it will be the duty of the British authorities to do what is in their power to warn British subjects against projects which are likely to terminate in disastrous results to themselves.

I am accordingly directed by the Earl of Rosebery to express the hope that the Government of the Republic will disavow the efforts of their officer for this purpose, and instruct him to discontinue them.

I take this opportunity of calling your Excellency's attention to the fact that no definite reply has yet been received by this Legation to Mr. Wyndham's note of the 28th June last, in regard to the statement made by this officer, and advanced by him as one of fact, that immigrants to this country who do not wish to remain here are repatriated at the cost of the Government. On the 7th July last your Excellency informed Her Majesty's Minister that the question had been referred to the Emigration Department, from which Department I regret that no reply has yet been received.

Under these circumstances, and in view of the fact that upwards of three months have elapsed since the date of Mr. Wyndham's note, I shall be very much obliged if your Excellency will be so good as to again press the Department in question, and enable me to inform Her Majesty's Government at an early date whether M. Drolke Fasciotti was justified or not in making the statement referred to.

I avail, &c.

(Signed) GEORGE GREVILLE.

No. 38.

The Earl of Rosebery to Mr. Greville.

Sir,

Foreign Office, November 19, 1892.

I HAVE received your despatch of the 15th ultimo, and I have to inform you that I approve the note, copy of which is inclosed therein, which you addressed to the Brazilian

Government respecting endeavours of the Brazilian Consul at Cardiff to promote emigration to Brazil.

I am, &c.
(Signed) ROSEBERY.

No. 39.

Consul Lyall to Foreign Office.—(Received December 12.)

Sir, Santos, November 17, 1892.

IN answer to your despatch of the 29th September last, I have the honour to report that I have just heard from Mrs. L. and her family to the effect that, having sown a crop of beans and maize, and having succeeded in paying off their debt, they do not wish to leave at present; they also object to arriving in England in the middle of winter, when the boys are unlikely to succeed in obtaining employment, and where they would probably suffer from the sudden change of climate.

I have, &c.
(Signed) WALTER T. LYALL.

No. 40.

Mr. Greville to the Earl of Rosebery.—(Received December 16.)

My Lord, Rio de Janeiro, November 26, 1892.

WITH reference to my despatch of the 15th September last,* I have the honour to transmit herewith to your Lordship translation of a note from the Acting Minister for Foreign Affairs respecting the statement of the Brazilian Consul at Cardiff as to the repatriation of immigrants.

A few days after I had sent in to Admiral de Mello, in accordance with your Lordship's instructions, a note, copy of which I transmitted in my despatch of the 15th ultimo, I saw the Director-General of the Ministry for Foreign Affairs, who observed to me that he considered that Her Majesty's Government were very unfriendly in regard to this subject, and he asked me how many British subjects, I supposed, had acted upon M. Fasciotti's suggestion. I said that Her Majesty's Government felt very strongly in the matter, and that they would certainly do all in their power to prevent the emigration to Brazil of British subjects, who were in no way fitted for it.

The Visconde de Cabo Frio admitted that British emigration had been a failure, and had had disastrous results.

I have the honour to inclose a copy of my reply, which I trust will meet with your Lordship's approval.

I have, &c.
(Signed) GEORGE GREVILLE.

Inclosure 1 in No. 40.

Admiral de Mello to Mr. Greville.

*Ministry for Foreign Affairs, Rio de Janeiro,
November 22, 1892.*

(Translation.)

IN continuation of my note of the 17th July last, I have the honour to inform Mr. George Greville, &c., that I am informed by the Ministry of Agriculture that, as was correctly pointed out by the British Legation in their note of the 28th June, immigrants are only repatriated at the cost of the Brazilian Treasury in the cases provided for by Article 17 of Decree No. 528 of the 28th June, 1890, a copy of which is herewith inclosed, and it was precisely to these cases that M. Fasciotti intended ("pretendeu") to refer, as he explained to this Ministry.

I avail, &c.
(Signed) CUSTODIO JOSÉ DE MELLO.

Inclosure 2 in No. 40.

Mr. Greville to Admiral de Mello.

M. le Ministre,

Petropolis, November 25, 1892.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 22nd instant, in which you inform me that the repatriation of immigrants at the cost of the Brazilian Government only takes place in the cases provided for by Article 17 of Decree No. 528 of the 28th June, 1890, and that it was to this class of immigrants that the Brazilian Consul at Cardiff referred when he stated in his letter to the English papers that "those who do not wish to remain in the country are even entitled to be sent back at the cost of the Government." In his note of the 28th June last Mr. Wyndham begged your Excellency to be so good as to inform him whether the above statement was accurate or otherwise.

I presume, therefore, that, in sending a copy of your Excellency's reply to Her Majesty's Principal Secretary of State for Foreign Affairs, I am justified in informing his Lordship that those immigrants who do not wish to remain in this country are not entitled to be sent back at the cost of the Government, except in the cases provided for by Article 17 of the above-mentioned Decree.

I avail, &c.

(Signed) GEORGE GREVILLE.

No. 41.

Foreign Office to Mr. Mackenzie.

Sir,

Foreign Office, December 17, 1892.

WITH reference to your letter of the 30th September respecting Mrs. L. and her children, British immigrants in Brazil, I am directed by the Earl of Rosebery to inform you that Her Majesty's Consul at Santos has heard from Mrs. L.; she states that, having sown a crop of beans and maize, and having succeeded in paying her debts, she does not wish to leave Brazil at present. She also says that she would not like to arrive in England in the middle of winter, when her sons are unlikely to obtain employment, and when they would probably suffer from the sudden change of climate.

I am, &c.

(Signed) EDWARD GREY.

No. 42.

Mr. Mackenzie to Foreign Office.—(Received December 21.)

Dear Sir,

3, Hope Street, Edinburgh, December 20, 1892.

I AM favoured with your letter of the 17th instant, *re* D. L., deceased, the contents of which I carefully note, and for which I am much obliged.

I am, &c.

(Signed) P. MACKENZIE.

No. 43.

The Earl of Rosebery to Mr. Greville.

Sir,

Foreign Office, December 22, 1892.

I APPROVE the terms of the note addressed by you on the 25th ultimo to Admiral Mello in regard to the statements attributed to the Brazilian Consul at Cardiff, and of which a copy was inclosed in your despatch of the 26th ultimo.

I am, &c.

(Signed) ROSEBERY.

No. 44.

Mr. Greville to the Earl of Rosebery.—(Received December 23.)

My Lord,

Rio de Janeiro, December 3, 1892.

WITH reference to my despatch of the 15th October,* I have the honour to transmit herewith translation of a note from the Acting Minister for Foreign Affairs stating that the Brazilian Consul at Cardiff acted entirely on his own initiative in suggesting the establishment in Brazil of colonies of Welsh immigrants, and that the Federal Government have no idea of entertaining such a proposal.

I have, &c.

(Signed) GEORGE GREVILLE.

Inclosure in No. 44.

Admiral de Mello to Mr. Greville.

*Ministry for Foreign Affairs, Rio de Janeiro,
November 28, 1892.*

(Translation.)

THE establishment of colonies with Welsh immigrants to which the note of the British Legation of the 14th ultimo and my note of the 20th ultimo refer, was a proposal initiated entirely by M. Fasciotti, the Consul in Cardiff, himself. He acted entirely without instructions, and the Brazilian Government do not entertain such an idea.

Such is the information furnished by the Ministry of Agriculture, and which I have the honour of transmitting to Mr. George Greville, &c.

Renewing, &c.

(Signed) CUSTODIO JOSÉ DE MELLO.

No. 45.

Foreign Office to Board of Trade.†

Sir,

Foreign Office, December 31, 1892.

WITH reference to the Foreign Office letter of the 14th September, I am directed by the Earl of Rosebery to acquaint you, for the information of the Board of Trade, that Her Majesty's Chargé d'Affaires at Rio de Janeiro has received a note from the Brazilian Government stating that the Brazilian Consul at Cardiff acted entirely on his own initiative in suggesting the establishment in Brazil of colonies of Welsh immigrants, and that the Government have no idea of entertaining such a proposal.

I am, &c.

(Signed) EDWARD GREY.

* No. 37.

† Also to Emigrants' Information Office.

APPENDIX.

CAUTION TO EMIGRANTS. (See Correspondence No. 22.)

BRAZIL.

Further Warning.

IN continuation of the Notice issued in April last respecting emigration to Brazil, the Emigrants' Information Office warns the public that the Brazilian Government are again endeavouring to introduce settlers into the tropical and other parts of Brazil. Seeing that these parts are, both in climate and other respects, wholly unsuited to British emigrants, and that great suffering has already followed British emigration to that country, intending emigrants are again most strongly warned not to go to Brazil. They should disregard any inducements which may be held out to them of obtaining cheap passages, grants of land, or high wages, and should apply for further information to the Chief Clerk at this Office.

*Emigrants' Information Office,
31, Broadway, Westminster, S.W.,
September 1892.*

FURTHER CORRESPONDENCE respecting British
Immigrants in Brazil.

[In continuation of "Commercial No. 9 (1892) :"
C. 6706.]

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. March 1893.*

MISCELLANEOUS. No. 1 (1893).

REPORTS

FROM

HER MAJESTY'S DIPLOMATIC REPRESENTATIVES ABROAD

ON THE SUBJECT OF THE

MAJORITIES (NUMERICAL OR PROPORTIONAL)

REQUIRED IN THE

LEGISLATURES OF FOREIGN STATES FOR ANY
CHANGES IN THEIR CONSTITUTIONS.

*Presented to the House of Lords by Command of Her Majesty.
April 1893.*

LONDON:

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on the subject of the Majorities (Numerical or Proportional)
required in the Legislatures of Foreign States for any
Changes in their Constitutions.

Circular addressed to Her Majesty's Representatives abroad.

My Lord,
Sir,

Foreign Office, February 14, 1893.

IN conformity with an Address of the House of Commons, I have to instruct your Excellency to furnish me with a Return, for presentation to Parliament, showing the majorities, numerical or proportional, required in the elective and other branches of the Legislature for any changes in the Constitution of the State in which you reside.

I am, &c.

(Signed) ROSEBERY.

Replies to Circular.

AUSTRIA-HUNGARY.

No. 1.

Sir A. Paget to the Earl of Rosebery.—(Received February 23.)

My Lord,

Vienna, February 20, 1893.

WITH reference to your Lordship's Circular despatch of the 14th instant, I have the honour to state that, by an Act of the Austrian Reichsrath, dated the 2nd April, 1873, it is prescribed that changes in the Fundamental Laws of the State affecting the Legislature and the general rights of the subject, as also the judicial authority, and the exercise of administrative and executive authority, require the assent of a Parliamentary majority consisting of at least two-thirds of those present, who must be to the number of forty

in the Upper, and form a minimum of one-half of the Members in the Lower House (i.e., $\frac{353}{2}$, or 177).

I have, &c.
(Signed) A. PAGET.

No. 2.

Mr. Milbanke to Sir A. Paget.—(Received at the Foreign Office, March 3.)

Sir,

Buda Pesth, February 27, 1893.

WITH reference to the Earl of Rosebery's Circular despatch of the 14th instant, I have the honour to inform your Excellency that neither the Laws of Hungary nor the Rules of the two Houses of Parliament contain any provision for special majorities in the case of changes being introduced in the Constitution of the country.

Such Bills are treated in a similar manner to all other Bills, viz., they are accepted or rejected by a simple majority of those present.

I have, &c.
(Signed) RALPH MILBANKE.

BADEN AND HESSE.

No. 3.

Mr. Buchanan to the Earl of Rosebery.—(Received March 3.)

My Lord,

Darmstadt, February 28, 1893.

IN accordance with the instructions conveyed to me in your Lordship's Circular despatch of the 14th instant, I have the honour to forward the accompanying Returns, showing the majorities required in the Legislature of the Grand Duchy of Baden and of the Grand Duchy of Hesse for any changes in the Constitution of those States.

I have, &c.
(Signed) GEORGE W. BUCHANAN.

Inclosure 1 in No. 3.

Return of the Majority required in the Legislature of the Grand Duchy of Baden for a Revision of the Constitution.

NO proposal for the revision of the Constitution can be brought before either House of the Legislature unless there are at least three-fourths of its Members present, and no Constitutional revision can be carried without the consent of a majority of the Members taking part in the division in each of the two Houses.

Thus in the Second Chamber, which is composed of sixty-five Members, the presence of at least forty-eight Members is required for the discussion of a question of Constitutional revision, and the consent of at least thirty-two Members is necessary before the proposed change in the Constitution can be adopted.

The number of the Members of the First Chamber varies between thirty and forty.

Inclosure 2 in No. 3.

Return of the Majority required in the Legislature of the Grand Duchy of Hesse for a Revision of the Constitution.

THE assent of both Houses of the Legislature is necessary for any revision of the Constitution.

In the Second Chamber, which is composed of fifty Members, there must be at least 26 votes recorded in favour of any such change, and in the First Chamber, of which the numbers vary from thirty to thirty-six, the assent of at least twelve Members is required.

When, however, the number of those taking part in the division in either Chamber is so large that a majority of two-thirds of them would be more than the figures above given, then the majority required is fixed at two-thirds of the votes actually recorded.

BAVARIA.

No. 4.

Mr. Drummond to the Earl of Rosebery.—(Received March 17.)

My Lord,

Munich, March 15, 1893.

WITH reference to your Lordship's Circular despatch of the 10th instant instructing me to favour your Lordship with a Return for presentation to Parliament showing the majorities, numerical or proportional, required in the elective and other branches of the Legislature for any changes in the Constitution of the Kingdoms of Bavaria and Würtemberg, I have the honour to inform your Lordship that I applied directly to the Bavarian and Würtemberg Foreign Offices for the information in question, and I now have the honour to transmit herewith translations of the replies which I have received, giving the information requested.

I have, &c.

(Signed) VICTOR DRUMMOND.

Inclosure 1 in No. 4.

Baron Mittnacht to Mr. Drummond.

(Translation.)

Ministry for Foreign Affairs, Stuttgart,

Sir,

March 1, 1893.

I HAVE the honour, in reply to your valued communication of the 23rd ultimo, to inform you courteously, with regard to the necessary majority in the Würtemberg Legislative Bodies for altering the Würtemberg Constitution, that paragraph 176 of the Würtemberg Constitutional Charter contains the following provision:—

“Decisions (or votes) in both Chambers are made by the majority, which, according to the nature of the proposal, may be absolute or relative, and in case of equality of votes the vote of the President decides. When, however, there is a question of changing any point in the Constitution itself, the assent of two-thirds of the Members present in both Chambers.”

According to paragraph 160, section 1, of the Constitutional Charter, the quorum of the First Chamber is fully formed by the presence in the First Chamber of half its Members, and in the Second Chamber of two-thirds of its Members.

According to paragraph 15 of the Constitutional Charter, every change made in any point of the Constitution during a Regency is only valid for the duration of such Regency.

I avail, &c.

(For Baron Mittnacht),
(Signed) V. KÖNIG.

Inclosure 2 in No. 4.

Baron von Crailsheim to Mr. Drummond.

THE Undersigned has the honour to communicate the following information respecting the Parliamentary forms used in affecting changes in the Constitution, as desired in Mr. Drummond's note of the 23rd February last.

For legal acceptance (or Parliamentary decision) in either Chamber, the Chamber of the Reichsrath and the popularly elected Chamber of Deputies, as a rule the presence of the majority of those Members is necessary, who compose the whole Chamber according to the Constitution.

Thus, in the Chamber of the Reichsrath, those Members are counted as the whole Chamber for the purpose of voting, who have been legitimated, but not those who have not yet acquired the right to vote, or have not yet legitimated, nor those who may have been excluded for the duration of a Session of Parliament. And in the Chamber of Deputies the vacant seats are not counted, but Members who are absent by leave of the Chamber are counted.

The Parliamentary voting is effected by an absolute majority of all Members having the right to vote.

As opposed to this regular form of Parliamentary voting in both Chambers, there are additional and more stringent conditions attached to the voting of any change in the Constitution, the Constitutional Law, or any other Law affecting the Constitution, as well as any addition to be made to any of them.

For debating and voting any such proposals, the presence in both Chambers of three-fourths of the total number of those Members having the Constitutional right to vote is necessary, and a two-thirds majority of all those entitled to vote is necessary for a legal acceptance by each Chamber.

Whenever a proposal for altering the Constitution or a Constitutional Law is made on the initiative of the Chamber itself, it must, within intervals of eight days between each reading, be subjected to three readings and voting in each Chamber, and at each voting the above proportion of Members for a majority holds good.

The Undersigned, in offering the above information for the acceptance of Her Majesty's Government, avails himself, &c.

(Signed)

Baron von CRAILSHEIM.

*Ministry for Foreign Affairs, Munich,
March 13, 1893.*

BELGIUM.

No. 5.

Sir E. Monson to the Earl of Rosebery.—(Received February 27.)

My Lord,

Brussels, February 23, 1893.

ON the receipt of your Lordship's Circular despatch of the 14th instant, I asked Baron Lambermont whether there was in this country any other legislation concerning the amendment of the Constitution than that provided by the Constitution itself.

The Baron said that he thought as I did, that it was probable that there was not; but that as he could not on the spur of the moment give me a positive answer, he would like me to put the question officially to the Minister of Foreign Affairs.

In answer to the query which I consequently addressed to his Excellency, I received yesterday evening the confirmation of my supposition, in a note of which I have the honour to inclose a copy herewith.

I have, &c.
(Signed) EDMUND MONSON.

Inclosure in No. 5.

Count de Westerloo to Sir E. Monson.

M. le Ministre,

Bruxelles, le 23 Février, 1893.

COMME suite à la lettre que votre Excellence a bien voulu me faire parvenir sous la date du 16 de ce mois, j'ai l'honneur de lui faire connaître qu'il n'existe pas, concernant la revision de la Constitution Belge, d'autre disposition légale que l'Article 131 de cette même Constitution, dont voici le texte :—

"Article 131. Le Pouvoir Législatif a le droit de déclarer qu'il y a lieu à la revision de telle disposition Constitutionnelle qu'il désigne.

"Après cette déclaration les deux Chambres sont dissoutes de plein droit.

"Il en sera convoqué deux nouvelles conformément à l'Article 71.

"Ces Chambres statuent de commun accord avec le Roi, sur les points soumis à la revision.

"Dans ce cas, les Chambres ne pourront délibérer si deux tiers au moins des Membres, qui composent chacune d'elles ne sont présents et nul changement ne sera adopté, s'il ne réunit au moins les deux tiers des suffrages."

Je saisis, &c.

(Signed) MERODE WESTERLOO.

(Translation.)

M. le Ministre,

Brussels, February 23, 1893.

IN answer to the letter you were good enough to address to me on the 16th instant, I have the honour to inform you that, as regards the revision of the Belgian Constitution, no legal provision exists other than Article 131 of that Constitution, of which the text is as follows :—

"Article 131. The Legislative Power has the right of declaring that there are grounds for the revision of such Constitutional provision as it may indicate.

"After this declaration the two Chambers are dissolved of right.

"Two new Chambers shall be convoked in accordance with Article 71.

"These Chambers discuss, in common accord with the King, the points submitted for revision.

"In such case, the Chambers cannot deliberate unless at least two-thirds of the Members constituting each of them are present, and no change shall be adopted without a majority of two-thirds of the votes."

Accept, &c.

(Signed) MERODE WESTERLOO.

BRAZIL.

No. 6.

Mr. Greville to the Earl of Rosebery.—(Received April 6.)

My Lord,

Rio de Janeiro, March 17, 1893.

IN reply to your Lordship's Circular despatch of the 14th ultimo, I have the honour to state that Article 85 of the Constitution of the United States of Brazil of the 22nd June, 1890, runs as follows :—

"Article 85. The Constitution may be amended, at the initiative of the National Congress or of the Legislatures of the States.

"§ 1. An amendment shall be considered as proposed, when, having been presented by one-fourth, at least, of the Members of either House of the Congress, it shall have been accepted, in three readings by two-thirds of the votes in both Houses of the Congress, or when it shall have been asked for by two-thirds of the States, represented each one, by a majority of the votes of their Legislatures, the said votes to be taken in the course of one year.

"§ 2. The proposed amendment shall be considered approved, if, in the following year, after three readings, it shall have been adopted by a majority of three-fourths of the votes in the two Houses of the Congress.

"§ 3. The amendment adopted shall be published, with the signatures of the Presidents and Clerks of the two Chambers, and be incorporated into the Constitution as a part of the same.

"§ 4. No project having a tendency to abolish the federative Republican form, or the equal representation of the States in the Senate, shall be admitted for consideration in the Congress."

I have, &c.
(Signed) GEORGE GREVILLE.

BULGARIA.

No. 7.

Mr. Dering to the Earl of Rosebery.—(Received February 24.)

My Lord,

Sophia, February 20, 1893.

IN conformity with the instructions conveyed to me in your Lordship's Circular despatch of the 14th instant, I have the honour to forward herewith copy and translation of Articles 167, 168, and 169 of the Bulgarian Constitution, relating to any revision or modification thereof, from which your Lordship will see that a majority of two-thirds of the Sobranje is requisite for the modification or revision of any portion of the Constitution, which decision must be again confirmed by a majority exceeding two-thirds of the Grand Sobranje specially convoked for the purpose.

I have, &c.
(Signed) HENRY NEVILLE DERING.

Inclosure in No. 7.

Extract from Bulgarian Constitution of 1879.

Chapitre XXII.—*Du mode de Revision et de Modification de la Constitution.*

167. LES propositions de modification ou de revision de la Constitution se font d'après le mode établi pour la confection des Lois (Articles 108, 109):—

"Article 108. L'initiative de Projets de Loi appartient au Prince et à l'Assemblée Nationale.

"Article 109. Les Projets de Loi et des propositions sont présentés à l'Assemblée Nationale par les Ministres respectifs sur un ordre du Prince.

"Tout représentant de l'Assemblée Nationale peut également y présenter des Projets de Loi ou des propositions, s'il est soutenu pas le quart des Membres présents."

168. Les propositions dont il est question dans l'Article précédent doivent, pour être adoptées, réunir la majorité de plus de deux tiers des voix de tous les Membres présents de l'Assemblée Nationale.

169. Pour l'examen des propositions mentionnées dans l'Article 167, la Grande Assemblée Nationale est convoquée, et elle décide à la majorité de deux tiers de ses Membres présents les questions qui concernent les modifications ou la revision de la Constitution.

(Translation.)

Chapter XXII.—*Of the manner of the Revision or of the Modification of the Constitution.*

167. Proposals for the modification or for the revision of the Constitution follow the procedure established for the making of Laws (Articles 108, 109):—

"Article 108. To the Prince and to the National Assembly belongs the initiative in all Projects of Laws.

"Article 109. All Projects and proposals of Laws are presented to the National Assembly by the respective Ministers, on the order of the Prince.

"Any Member of the National Assembly can likewise present Projects or proposals of Laws, provided he is supported by one quarter of the Members present."

168. The proposals in question in the preceding Article must, in order that they may be adopted, obtain a majority of more than two-thirds of the votes of all the Members of the National Assembly present.

169. For the examination of the proposals referred to in Article 167, the Grand National Assembly is convoked, and it has to decide, by a majority of two-thirds of the Members present, all questions respecting modifications or the revision of the Constitution.

DENMARK.

No. 8.

Mr. Scott to the Earl of Rosebery.—(Received February 24.)

My Lord,

Copenhagen, February 20, 1893.

THE following are translations of the Sections contained in the Revised Constitutional Law of 1849 having reference to the inquiry contained in your Lordship's Circular despatch of the 14th instant respecting the majority, numerical or proportional, required in the elective and other branches of the Legislature to effect any change in the Constitution of Denmark:—

"§ 61. Neither Chamber can pass any Resolution unless more than half its Members are present and take part in the vote.

"§ 95. Proposals for changes or amendments to the present Constitution can be presented during ordinary or extraordinary Sessions of the Rigsdag.

"If a Bill relative to a change in the Fundamental Law is adopted by both Chambers, and the Government wishes it to pass into law the Rigsdag shall be dissolved, and a General Election shall take place for the Folkething and Landsting. If the Bill is again passed without alteration by the newly elected Rigsdag, either in ordinary or extraordinary Session, and it receives the King's sanction, it becomes law."

I have, &c.

(Signed) CHARLES S. SCOTT.

FRANCE.

No. 9.

The Marquis of Dufferin to the Earl of Rosebery.—(Received March 15.)

My Lord,

Paris, March 14, 1893.

IN reply to your Circular despatch of the 14th ultimo, I have the honour to transmit to your Lordship herewith a Memorandum with regard to the manner in which changes in the Constitution of the French Republic can alone be effected.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure in No. 9.

Memorandum.

THE present French Constitution is embodied in what are known as the Constitutional Laws of the 24th and 25th February, and 16th July, 1875, which regulate the organization of the Senate, the organization of the public powers, and the relations between the public powers.

By Article 8 of the Law of the 25th February, relative to the organization of the public powers, either the Senate or the Chamber of Deputies has the right, after separate decisions arrived at in each House by the absolute majority of votes, either spontaneously or at the request of the President of the Republic, to declare that the Constitutional Laws require revision.

After the Senate and the Chamber of Deputies have each adopted the Resolution, they unite in a National Assembly to proceed to the revision.

The decisions bearing on the revision of the Constitutional Laws, whether in whole or in part, must be taken by the absolute majority of the Members composing the National Assembly.

The Republican form of Government cannot be made the subject of any proposal for revision.

GERMANY.

No. 10.

Sir E. Malet to the Earl of Rosebery.—(Received February 27.)

My Lord,

Berlin, February 24, 1893.

IN compliance with the request contained in your Lordship's Circular despatch of the 14th instant, I have the honour to inclose herewith a Memorandum which has been prepared by Mr. C. Thornton, upon information supplied by Dr. Weber, Legal Adviser to Her Majesty's Embassy, in regard to the majorities required in the Imperial German and Prussian State Legislatures respectively for the introduction of Constitutional changes.

I have, &c.

(Signed) EDWARD B. MALET.

Inclosure in No. 10.

Regulations concerning the Introduction of Changes in the Constitutions of the German Empire and the Kingdom of Prussia respectively.

1. *German Empire.*

ARTICLE 78 of the Constitution of the German Empire of the 16th April, 1871, runs as follows:—

“Changes in the Constitution may be effected by way of legislation. They are regarded as rejected when 14 votes are opposed thereto in the Federal Council.”

Such special legislation follows the ordinary course pursued in the case of all Imperial laws, that is, according to Article 5 of the Constitution, it is dependent upon the concurrence of Resolutions adopted by majorities in the Federal Council (Representation of the Federal States), and the Reichstag (Representation of the People).

Any Resolution is passed in the Reichstag (Article 28) by an absolute majority of votes, the presence of a majority of the statutory number of Members being in the first instance requisite. No departure from this rule is observed in respect of measures introducing Constitutional changes.

An ordinary Legislative Resolution moved in the Federal Council is considered as passed when a majority of the votes of the States represented at the sitting appears in its favour. The number of votes allotted to the several Federal States is determined by the Constitution. Prussia, as the presiding State, has the casting vote in the event of a tie.

In the case, however, of a Resolution involving an alteration in the Constitution, the presence of 14 contradictory votes in the Federal Council will, as above stated, suffice for its rejection.

This last provision accordingly represents the single distinction between ordinary Imperial legislation and special legislation of the kind under consideration.

2. Kingdom of Prussia.

Article 107 of the Constitution of the 31st January, 1850, prescribes as follows:—

“Changes in the Constitution may be effected by way of regular legislation; in respect of which it will suffice if in both Houses (“Herrenhaus und Abgeordnetenhaus”) of the Landtag the ordinary absolute majority of the votes is obtained at two separate divisions, between which an interval must elapse of at least twenty-one days.”

By Article 62, the additional condition is imposed that the proposed Constitutional change must receive the concurrence of the Prussian Government.

To render valid the acceptance of a Resolution in the Lower House of the Landtag (“Abgeordnetenhaus”) it is essential that a majority of the statutory number of its Members be present. In the Upper House (“Herrenhaus”), 60 form a quorum. In both a Resolution is declared as passed when there appears an absolute majority of votes in its favour.

The only additional safeguard, therefore, in cases where Constitutional changes are involved, besides the concurrence of the Government, consists in the provision that two distinct Resolutions to that end must be passed in either House of the Legislature, with an interval between them of at least twenty-one days.

I am indebted to the courtesy of Dr. Weber, Legal Adviser to Her Majesty's Embassy, for the information upon which the foregoing explanations are based.

(Signed) C. CONWAY THORNTON.

Berlin, February 24, 1893.

GREECE.

No. 11.

Mr. Egerton to the Earl of Rosebery.—(Received March 14.)

My Lord,

Athens, February 28, 1893.

IN reply to your Lordship's Circular despatch of the 14th instant I have the honour to subjoin translation of Article 107 of the Greek Constitution:—

“The revision of the whole Constitution cannot take place. Particular provisions in it, with the exception of the fundamental principles, may be revised after ten years have elapsed from the time of its publication, and when the necessity of the revision has been verified.

“The necessity of the revision is to be regarded as verified, when the House of Representatives in two successive representative periods by a majority of three-quarters of the votes of all the Members, demands the revision by a special Act determining the provisions to be revised.

"The revision having been adopted the existing House of Representatives must be dissolved and a new Assembly convoked for the object, consisting of double the number of Representatives, which shall decide on the provisions to be revised."

I have, &c.
(Signed) EDWIN H. EGERTON.

ITALY.

No. 12.

Lord Vivian to the Earl of Rosebery.—(Received February 27.)

My Lord,

Rome, February 24, 1893.

IN reply to your Circular despatch of the 14th instant, instructing me to furnish you with a Return, for presentation to Parliament, showing the majorities, numerical or proportional, required in either branch of the Legislature for the introduction of changes in the Italian Constitution, I have the honour to report that I have ascertained, after careful inquiry, that no provision of any kind has been made, either in the Constitution itself, or by Statute or law, for changing the Constitution of Italy.

I have, &c.
(Signed) VIVIAN.

MEXICO.

No. 13.

Sir S. St. John to the Earl of Rosebery.—(Received April 7.)

My Lord,

Mexico, March 20, 1893.

I HAVE the honour to acknowledge the receipt of Circular despatch of the 14th February, instructing me to furnish your Lordship with a Return for presentation to Parliament, showing the majorities, numerical or proportional, required in the elective or other branches of the Legislature for any changes in the Constitution of the State in which I reside.

In order to effect any change in the Constitution of the Republic of Mexico, it is necessary that the Congress of the Union should by a two-thirds vote of those present approve of the change; it is then submitted to the Legislatures of the different States, and must be approved by a majority of them. I inclose the Article of the Constitution, which refers to the subject taken from the authorized translation into French.

I have, &c.
(Signed) SPENSER ST. JOHN.

Inclosure in No. 13.

*Article 127 of the Mexican Constitution.*Titre VII.—*De la Réforme de la Constitution.*

ARTICLE 127. La Constitution présente peut être additionnée ou réformée.

Pour que les additions ou les réformes puissent faire partie de la Constitution il faut que le Congrès de l'Union, par le vote des deux tiers de ses Membres présents, approuve ces réformes ou additions et que celles-ci soient approuvées par la majorité des Corps Législatifs des États.

Le Congrès de l'Union fera la computation des votes des Corps Législatifs et la déclaration de l'approbation des dites additions ou réformes.

(Translation.)

Caput VII.—*On the Reform of the Constitution.*

ARTICLE 127. The existing Constitution can be added to or reformed.

For the additions or reforms to become part of the Constitution the Congress of the Union, by the vote of two-thirds of its Members present, must approve these reforms or additions, which must also be approved by the majority of the Legislative Bodies of the States.

The Congress of the Union will count the votes of the Legislative Bodies, and declare the approval of the said additions or reforms.

NETHERLANDS.

No. 14.

Sir H. Rumbold to the Earl of Rosebery.—(Received February 24.)

My Lord,

The Hague, February 21, 1893.

IN compliance with the instructions contained in your Lordship's Circular despatch of the 14th instant, I have the honour to state that the procedure with respect to changes in the Constitution of the Netherlands is as follows :—

A Bill, embodying the modifications it is proposed to make in the Constitution, is laid by Government before the States-General, and has to be adopted, like any ordinary measure, by a majority in each of the two Chambers.

On the Bill being passed both Houses are dissolved, and the measure is then submitted to a new Legislature, a majority of at least two-thirds in both Houses being required for its final adoption.

For convenience of reference I inclose a translation of the Articles of the Constitution bearing on the question.

I have, &c.
(Signed) HORACE RUMBOLD.

Inclosure in No. 14.

Fundamental Law of the Kingdom of the Netherlands, promulgated November 30, 1887.

Chapter XI.—Concerning Modifications.

(Translation.)

PARAGRAPH 194. Any proposal for a modification of the Fundamental Law clearly enounces the modification proposed. The Law declares that grounds exist for taking into consideration the proposal as set forth.

Paragraph 195. After the promulgation of this Law the Chambers are dissolved. The newly-elected Chambers consider the proposal, and cannot adopt the modifications proposed, in accordance with the above-mentioned Law, by less than a majority of at least two-thirds of the votes given.

Paragraph 196. No alteration can be made in the succession to the Throne during a Regency.

Paragraph 197. The modifications of the Fundamental Law, agreed upon by the King and the States-General, are solemnly promulgated and added to the Fundamental Law.

PORTUGAL.

No. 15.

Sir H. Macdonell to the Earl of Rosebery.—(Received March 4.)

My Lord,

Lisbon, February 28, 1893.

WITH reference to your Lordship's Circular despatch of the 14th instant, I have the honour to inclose the translation of a note which I have received from the Portuguese Minister for Foreign Affairs informing me of the procedure in the two Chambers, which is necessary for any change in the Portuguese Constitution.

I have, &c.

(Signed) — H. G. MACDONELL.

Inclosure in No. 15.

Senhor Ribeiro to Sir H. Macdonell.

(Translation.)

Your Excellency,

Foreign Department, Lisbon, February 27, 1893.

WITH reference to your Excellency's note dated the 24th instant, I have much pleasure in furnishing your Excellency with the following information extracted from various articles of the "Constitutional Charter" which I quote:—

"Article 140. Should it be found out, at the expiration of four years after the taking of the Oath to the Constitution of the country, that any of its Articles stands in need of reform, a proposal to that effect is to be drawn up in writing; it must originate with the Chamber of Deputies, and be supported by one-third of that Body.

"Art. 141. The proposal referred to is to be read three times at intervals of six days between each reading; and after it shall have been read a third time, the Chamber of Deputies will then decide whether it is to be admitted to discussion to be followed by the usual course of proceeding for the passing of any ordinary law.

"Art. 142. After the proposal is admitted to discussion, and the necessity for the reform of the Constitutional Article is carried, the Law will be passed—which will be sanctioned and published by the King in the ordinary manner; in this Law the electors of Deputies for the next Legislature will be enjoined to confer upon their Representatives special powers for the proposed reform or alteration.

"Art. 143. The matter will be proposed and discussed in the first Session of the next Legislature, and the alteration of or addition to the Fundamental Law will be made

according to the vote given, and the addition thus made to the Constitution will be solemnly published."

According to the rule laid down in Article 162 of the internal Regulations of the Chamber of Deputies, no proposal can be considered as approved or rejected by the Chamber, unless it is either approved or rejected by one-fourth of the total number of Deputies as laid down in the Electoral Law, and by the majority of those present.

In the Chamber of Peers an absolute plurality of votes is also required in order that any proposals may be carried, and no decisions will be considered valid unless there are at least 15 votes in favour of the same, in accordance with Article 83 of the internal Regulations of the Chamber of Peers.

From this statement your Excellency will see that in the two Chambers of the Portuguese Parliament a simple majority is sufficient for reforming any Article of the Constitutional Charter, and that in order to recognize the necessity of such reform it is necessary that the proposal to that effect should be supported by one-third of the Members of the Chamber of Deputies.

I avail, &c.
(Signed) HINTZE RIBEIRO,

ROUMANIA.

No. 16.

Mr. C. Hardinge to the Earl of Rosebery.—(Received February 25.)

My Lord,

Bucharest, February 21, 1893.

IN accordance with the instructions contained in your Lordship's Circular despatch of the 14th instant, I have the honour to transmit herewith a translation of Article 128 of the Roumanian Constitution which requires that, in the event of a change in the Constitution being desired, the two Chambers which have been dissolved and re-elected cannot deliberate without at least two-thirds of the Members which compose each of them being present, and no change can be adopted without obtaining in its favour at least two-thirds of the suffrages.

I have, &c.
(Signed) CHARLES HARDINGE.

Inclosure in No. 16.

Article 128 of the Roumanian Constitution.

(Translation.)

ARTICLE 128. The Legislative Power has the right to declare the necessity for revision of any portion of the Constitution which it may choose.

After a declaration in this sense read three times publicly, each time at a fortnight's interval, and with the approval of the two Assemblies, the Assemblies are legally dissolved and new ones shall be convoked within the delay prescribed by Article 95.

The new Assemblies decide, in accord with the King, upon the points submitted for revision.

In each case, the Assemblies cannot deliberate unless two-thirds at least of the Members which compose each of them are present, and no change will be adopted, unless it unites at least two-thirds of the votes in its favour.

N.B.—According to Article 95, the elections take place two months after the dissolution, and the convocation of the Assemblies one month later.

RUSSIA.

No. 17.

Sir R. Morier to the Earl of Rosebery.—(Received April 17.)

My Lord,

St. Petersburg, April 10, 1893.

IN reply to your Lordship's Circular despatch of the 14th February last, calling for a statement of the conditions necessary to a change in the Constitution of this country, I have the honour to inclose herewith a short Memorandum by Mr. O'Beirne.

I have, &c.

(Signed) R. B. D. MORIER,

Inclosure in No. 17.

Memorandum.

Russia.—There are in Russia no Legislative Bodies, properly so called, the power of legislation residing exclusively in the person of the Emperor. Of the two principal governing Bodies which are concerned in matters of legislation—the “Council of the Empire” and the “Ruling Senate”—the first is empowered only to deliberate, and advise the Sovereign; but His Majesty is nowise bound by such advice, and has repeatedly made Laws contrary to the opinion of the majority of the Council. The “Ruling Senate” records and promulgates the Emperor's Decrees.

Finland.—Under the Constitution of Finland, the legislative power is exercised conjointly by the Emperor and the Diet. This Assembly is composed of four Orders: the nobles, clergy, burghers, and peasants, of which the three last named are elective. Each Order votes apart; and whilst, in matters of ordinary legislation, a proposal is deemed to have been accepted by the Diet when it has obtained an absolute majority of votes in three out of the four Orders, *it is required that measures affecting the Fundamental Laws or Constitution shall receive the assent of a majority of each of the four Orders.* It is further provided that such Constitutional changes can be initiated by the Emperor alone. The Finnish “Senate” advises the Emperor in questions of legislation, and promulgates Laws which have received his sanction.

SAXONY.

No. 18.

Mr. Strachey to the Earl of Rosebery.—(Received February 18.)

My Lord,

Dresden, February 16, 1893.

CHANGES in the Constitution of the Kingdom of Saxony require—

(a.) The assent of both Houses of the Legislature.

(b.) The presence in each House of three-fourths of its legal complement of Members.

(c.) A majority in each House of two-thirds of the Members actually voting.

Proposals for Constitutional changes emanating from the Legislature cannot be laid before the Crown unless they have been adopted in two successive Sessions. Constitutional amendments introduced by the Crown are not subject to this last restriction.

On the above, I would observe that the meetings of the Saxon Legislature are biennial, and that one-third of the Members of the Lower House retire previous to every triennial Session, when new elections take place for the vacant seats.

I have, &c.
(Signed) G. STRACHEY.

SERVIA.

No. 19.

Lord Vaux to the Earl of Rosebery.—(Received March 3.)

My Lord,

Belgrade, February 17, 1893.

IN accordance with the instructions contained in your Lordship's Circular despatch of the 14th instant, I have the honour to forward herewith a Memorandum showing the majorities required in the Servian Skuptchinas in order to effect a change in the Constitution of the Kingdom.

I have, &c.
(Signed) VAUX OF HARROWDEN.

Inclosure in No. 19.

Memorandum showing Majorities required in the Skuptchinas to effect Changes in the Servian Constitution.

ARTICLE 201 of the Constitution of Servia provides that proposals tending to modify or add to the Constitution may be presented either by the King or by the National Skuptchina. If the proposal emanates from the King it must be submitted to two Skuptchinas elected consecutively; after this second Skuptchina has been dissolved, the Grand Skuptchina must be convoked within a period of four months. The Grand Skuptchina consists of twice as many Members as the ordinary (or National) Skuptchina.

If the proposal is made by the Skuptchina it must be voted on three separate occasions, with a clear interval of five days between each vote. At least three-quarters of the full number of Deputies must be present, and the proposition can only be adopted if, at least, two-thirds of the Deputies present vote in its favour. The modification having been voted in this manner by two successive Skuptchinas, the Grand Skuptchina must be convoked within four months from the date of the vote. In both cases the Grand Skuptchina may only deliberate and vote upon the particular question before it.

Article 202 provides that certain Articles of the Constitution regarding the election of Members, distribution of electoral districts, and manner of holding the elections, may, exceptionally, be altered by the Skuptchina voting in the ordinary manner.

Article 68 forbids any change in the Constitution during the minority of the King.

I have, &c.
(Signed) VAUX OF HARROWDEN.

Belgrade. February 17, 1893.

SPAIN.

No. 20.

Sir H. Drummond Wolff to the Earl of Rosebery.—(Received March 17.)

My Lord,

Madrid, March 13, 1893.

IN reply to your Lordship's Circular despatch of the 14th ultimo, I have the honour to inclose a Memorandum, drawn up by Mr. Gosselin, on the Parliamentary procedure required for any changes in the Constitution of Spain.

I have, &c.

(Signed)

H. DRUMMOND WOLFF.

Inclosure in No. 20.

Memorandum on the Majority required in Cortes for effecting a Change in the Spanish Constitution.

UNLIKE many Fundamental Laws, the Spanish Constitution, promulgated after the Restoration in 1876, makes no mention of the contingency of its reform.

The Upper Chamber, or Senate, is composed of three classes of Senators:—

1. Senators by their own right.
2. Life Senators nominated by the Crown (these two categories not to exceed, taken together, 180).
3. 180 Senators elected by the Corporations of the State, the Provinces, Universities, Academies, &c., and by the largest taxpayers.

Though the Constitution contains a long list of those eligible for nomination by the Crown, or for election by the State Corporations, &c., to the Senate, Article 23 expressly declares that "the conditions necessary for being nominated or elected Senator can be changed by a Law."

Similarly, Article 27 lays down that the Lower Chamber shall be composed of candidates chosen by the Electoral Juntas "in the form determined by law;" and, in accordance with this provision, universal suffrage was voted in 1890 without the convocation of any constituent Cortes or the alteration of the text of the Constitution itself.

What is known, then, in the United Kingdom as a "Reform Bill," or an alteration or extension of the Parliamentary suffrage in either House, can undoubtedly be effected by the ordinary Cortes, provided the measure be supported by the majority necessary for passing any ordinary Law.

This majority is fixed by Article 43:—

"The Resolutions of each of co-legislative Bodies are adopted by a majority of votes, but for the voting of Laws, the presence of half plus one of the total number of Members composing the Chamber, is requisite."

It is a moot point whether it would be necessary to summon a constituent Cortes, in the event of it being deemed necessary to modify the text of the Constitution; some authorities hold that this could be done by a simple legislative measure passed by the ordinary Cortes, while others maintain that any such measure must be submitted to a constituent Cortes summoned *ad hoc*.

(Signed)

MARTIN GOSSELIN.

Madrid, March 13, 1893.

SWEDEN AND NORWAY.

No. 21.

Mr. Gough to the Earl of Rosebery.—(Received February 28.)

My Lord,

Stockholm, February 24, 1893.

IN obedience to the instructions contained in your Lordship's Circular of the 14th instant, I have the honour to forward herewith a Return showing the majorities required in the Legislatures of Sweden and Norway for any changes in the Constitutions of these Kingdoms.

I have, &c.
(Signed) H. GOUGH.

Inclosure in No. 21.

Memorandum.

CHANGES in the Swedish Constitution require the sanction of two ordinary (not extraordinary) Sessions of the Riksdag with an intervening general election of the Second Chamber.

A simply majority of votes in each Chamber suffices.

Changes in the Act of Union between Sweden and Norway require the sanction of both Parliaments (Riksdag and Storting).

In Norway changes in the Constitution can only be proposed in the first Session after the election of an ordinary Storting for three years, and they cannot be voted until after a fresh election has taken place for an ordinary (not extraordinary) Storting, when a majority of two-thirds of the votes is required.

Proposed changes of the Constitution, however, must never be in opposition to its principles, but only relate to such modifications of individual provisions as shall not alter the spirit of the Constitutions.

Changes in the Act of Union, which is a part of the Norwegian Constitution, require the sanction of the Parliaments of both countries.

SWITZERLAND.

No. 22.

Mr. St. John to the Earl of Rosebery.—(Received February 25.)

My Lord,

Berne, February 23, 1893.

WITH reference to your Lordship's Circular of the 14th instant, I have the honour to inclose herewith a Return showing that a numerical majority of the electing public of Switzerland is sufficient for any Constitutional changes, which can be proposed by either of the Legislative Chambers (whose measures are also in every case decided by a numerical majority), or by 50,000 vote-possessing citizens.

I have, &c.
(Signed) F. R. ST. JOHN.

Inclosure in No. 22.

Memorandum.

THE Constitution of Switzerland may at any time be revised, in part or in whole, on a demand from either Legislative Chamber or from 50,000 vote-possessing citizens, if duly drawn up in writing and approved by a numerical majority of the electing public of Switzerland to whom the question "yea" or "nay" is submitted in the well-known form of a Referendum.

UNITED STATES.

No. 23.

Sir J. Pauncefote to the Earl of Rosebery.—(Received April 13.)

My Lord,

Washington, April 1, 1893.

IN accordance with the instructions contained in your Lordship's Circular despatch No. 40 of the 14th February last, I have the honour to transmit copy of a letter and supplemental Memorandum addressed to me by Mr. Calderon Carlisle, Legal Adviser to this Legation, inclosing Returns showing the majorities, numerical and proportional, required in the elective and other branches of the Legislature for any changes in the Constitution of the United States itself, and also those required severally for any changes in the Constitution of thirty-six of the States of the Union.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 23.

Mr. Carlisle to Sir Julian Pauncefote.

Sir,

Washington, D.C, March 15, 1893.

I HAVE the honour to return herewith Circular No. 40 of the Foreign Office, asking you to furnish a Return showing the majorities, numerical or proportional, required in the elective and other branches of Legislature for any changes in the Constitution of "the State in which you reside."

So far as the Federal Constitution is concerned, the Return need only be the inclosed transcript of Article 5 of the Constitution of the United States, to which I have appended some notes. It occurs to me, however, that the provisions of the various State Constitutions on the subject of amendments might furnish some interesting information, and I shall send you, in a day or two, the result of my examination.

I have, &c.

(Signed) CALDERON CARLISLE.

Inclosure 2 in No. 23.

Article 5 of the Constitution of the United States.

THE Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in

three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment, which may be made prior to the year 1808, shall in any manner affect the 1st and 4th clauses in the 9th section of the 1st Article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

N.B.—Upon the call of Congress in regard to the submission of the fourteenth amendment to the Legislatures of the States, President Johnson took the ground that the Resolution proposed in the Amendment ought to be submitted to the President for his approval. The practice has always been otherwise, and it has been held in the case of *Hollingsworth v. Virginia*, 3 Dallas, 378, that the approval of the President is not necessary. It is to be observed that the Resolution proposing an amendment must be adopted by two-thirds of both Houses, which should be sufficient to pass any Resolution or Law over the President's veto. As a matter of fact, all amendments to the Constitution of the United States have been proposed to the Legislatures; none to Conventions of States.

Inclosure 3 in No. 23.

*Supplemental Memorandum in answer to Foreign Office Circular No. 40 of
February 14, 1893.*

I HAVE examined the provisions with regard to amendment in the Constitutions of thirty-six States of the Union, and give below a Table showing the majorities, numerical and proportional, required in the Legislatures for any change in the Constitutions and furnishing other information. In some instances double legislative action is required, *i.e.*, one Legislature proposes and the succeeding Legislature ratifies; in others, in addition to the legislative ratification, there is a final ratification by popular vote, whilst in some others the legislative ratification is omitted, and in others the popular ratification is not required. The legislative majorities range from a simple majority to three-fourths, and in some States (*e.g.*, Delaware) two-thirds only is required to propose, but three-fourths to ratify.

In most States provision is made, in addition to that for amendment by the Legislature and the people, for calling a Convention to revise or amend their Constitutions, or to adopt entirely new ones, but in three States, noted in the annexed Table, there is no provision for amendment except by a Constitutional Convention.

(Signed) CALDERON CARLISLE.

March 29, 1893.

Inclosure 4 in No. 23.

TABLE showing requirements for Amendment of Constitutions of the United States of America (thirty-six States).

State.	Vote of Legislature to Amend.	Publication in Newspaper.	Ratification.
Alabama Illinois. Mississippi. Michigan. Louisiana. Texas.	Two-thirds of the Members elected to each branch of the Legislature.	In every county where a newspaper is published.	By majority vote of electors at next general election of Legislature.
West Virginia .. Arkansas. Missouri. Minnesota.	Majority of the Members elected to each branch of the Legislature.	Ditto	Ditto.
Colorado	Two-thirds majority of all the Members elected to each House of the Legislature.	Ditto	Ditto.
California Indiana.	Majority vote to propose, subject to ratification by next succeeding Legislature.	Ditto	Majority vote of newly-elected Legislature.
Connecticut .. Tennessee.	Majority vote to propose, subject to ratification by next succeeding Legislature.	Ditto	Two-thirds vote of newly-elected Legislatures, and final ratification by the people.
Virginia Nevada. New Jersey. Pennsylvania. Oregon. Wisconsin. Iowa.	Majority vote of all Members elected to each branch of the Legislature, subject to ratification by next succeeding Legislature.	Ditto	Majority vote of newly-elected Legislature, and final ratification by vote of the people.
Rhode Island ..	Majority vote to propose, subject to ratification by next succeeding Legislature.	Ditto	Majority vote of newly-elected Legislatures, and final ratification by three-fifth vote of electors.
Vermont	Senate propose by two-thirds vote if concurred in by majority of Members of House of Representatives, then referred to next succeeding Legislature.	Ditto	Majority vote of newly-elected Legislature, and final ratification by vote of the people.
Ohio Kansas. Nebraska. North Carolina. Maryland.	Three-fifths vote of members elected to each branch of Legislature.	Ditto	Majority vote of electors at next general election of Members of Legislature.
South Carolina ..	Two-thirds of members elected to both branches of the Legislature propose, subject to ratification by next succeeding Legislature.	Ditto	Majority vote of electors at the next general election, and ratification by the newly-elected Legislature by a two-thirds vote of all Members elected to each branch.
Florida Georgia.	Ditto	Ditto	Newly-elected Legislature ratify by two-thirds vote, and finally submit to people.
Delaware	Two-thirds vote of Members elected to both Houses of the Legislature, with approval of Governor, propose, subject to ratification by next succeeding Legislature.	Ditto	Newly-elected Legislature ratify by a three-fourths vote.
Maine	Amended only by Convention. The Legislature, by two-thirds vote of all members elected to both Houses, have power to call Constitutional Convention for purpose of amending, &c.		
Massachusetts ..	Amended only by Convention. General Court issue precepts to convene qualified voters to vote for or against calling Convention, if two-thirds qualified voters vote in favour of such Convention—the General Court to call Convention.		
Kentucky	Amended only by Convention. When a majority of both branches of the Legislature deem it necessary to call Convention, they shall have polls open at next general election and take sense of people, and if majority favour and majority of newly-elected Legislature favour, they shall again take sense of the people; and if majority of qualified voters voting vote in favour of such Convention, the Legislature shall provide by Law for calling same.		

REPORTS from Her Majesty's Diplomatic Representatives abroad on the subject of the Majorities (Numerical or Proportional) required in the Legislatures of Foreign States for any changes in their Constitutions.

*Presented to the House of Lords by Command of
Her Majesty. April 1893.*

MISCELLANEOUS. No. 6 (1893).

FURTHER REPORTS

FROM

HER MAJESTY'S DIPLOMATIC REPRESENTATIVES ABROAD

ON THE SUBJECT OF THE

MAJORITIES (NUMERICAL OR PROPORTIONAL)

REQUIRED IN THE

LEGISLATURES OF FOREIGN STATES FOR ANY
CHANGES IN THEIR CONSTITUTIONS.

[In continuation of "Miscellaneous No. 1 (1893) : " C. 6970.]

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One Inclosure.

Further Reports from Her Majesty's Diplomatic Representatives
abroad on the subject of the Majorities (Numerical or
Proportional) required in the Legislatures of foreign States
for any changes in their Constitutions.

[In continuation of "Miscellaneous No. 1 (1893)": C. 6970.]

Circular addressed to Her Majesty's Representatives abroad.

My Lord,
Sir,

Foreign Office, February 14, 1893.

IN conformity with an Address of the House of Commons, I have to instruct your Excellency to furnish me with a Return, for presentation to Parliament, showing the majorities, numerical or proportional, required in the elective and other branches of the Legislature for any changes in the Constitution of the State in which you reside.

I am, &c.
(Signed) ROSEBERRY.

Replies to Circular.

ARGENTINE REPUBLIC.

No. 1.

Mr. Pakenham to the Earl of Rosebery.—(Received May 1.)

My Lord,

Buenos Ayres, April 2, 1893.

IN reply to your Lordship's Circular despatch of the 14th February last, I have the honour to state that, in accordance with the terms of Article 30 of the Argentine Constitution, translation of which is herein inclosed, a majority of at least two-thirds of the Members of both of the Legislative Chambers is required for the consideration

of any change in the Constitution. The proposed alterations, however, cannot be carried into effect until they have been sanctioned by a Constituent Assembly especially elected for the purpose.

The elections for this Assembly are carried out under exactly similar conditions as those provided for the election of the Chamber of Deputies.

No one who is at the time serving as a Deputy, Senator, or employé of the State can present himself for election, as the Assembly must be composed of an entirely separate and independent body of Representatives elected only for the purpose of discussing and approving the proposed reforms in the Constitution, and a similar majority of two-thirds of the Members of this Assembly is equally required for their final sanction.

Similar provisions are also made for any change in each of the provincial Constitutions.

I have, &c.
(Signed) F. PAKENHAM.

Inclosure in No. 1.

Article 30 of Argentine Federal Constitution.

(Translation.)

THE Constitution can be reformed either partially or totally. The necessity for reform must be declared by Congress by a vote of at least two-thirds of its members, but it can only be carried into effect by means of a Constituent Assembly elected for that purpose.

CHILE.

No. 2.

Mr. J. G. Kennedy to the Earl of Rosebery.—(Received July 10.)

My Lord,

Santiago, May 26, 1893.

IN pursuance of the instructions contained in your Lordship's Circular despatch of the 14th February last, I have the honour to inclose translation of a note in which, in response to my application, the Minister for Foreign Affairs has been good enough to furnish complete information respecting the conditions under which alone Congress can effect changes in the Constitution of the Republic.

I have, &c.
(Signed) J. G. KENNEDY.

Inclosure in No. 2.

Señor Blanco to Mr. J. G. Kennedy.

(Translation.)

Sir,

Ministry of Foreign Relations, Santiago, May 19, 1893.

I HAVE had the honour to receive your Excellency's note of the 7th ultimo, in which you are good enough to inform me that, in pursuance of instructions from the Foreign Office, you solicit from this Department a Return showing the majority, numerical or proportional, required in the two branches of the Legislative Power for the introduction of any change in the political Constitution of the Republic, a Return or Memorandum which the Foreign Office will present to the British Parliament.

I readily comply with the wishes of the Foreign Office, by supplying in this communication the procedure which the Constitution itself establishes whenever any modification of its text may be considered necessary.

In order to modify any disposition or Article of the Constitution of Chile, the Constitution requires that the reforms of its dispositions once approved by both branches of Congress shall be ratified by the Congress, which may be elected or renewed after the publication of the project of reform.

As your Excellency may see, in order to introduce modifications in the Chilean Constitution it is not sufficient that said modifications obtain the approval of the Congress in which they were submitted and approved, but that they must be ratified by the immediately succeeding Congress.

In conformity to that which is provided by the Constitution in reference to this matter, I beg here to reproduce some further provisions which it contains.

In Article 156, it provides that "the reform of the Constitutional dispositions may be proposed in either of the Chambers," and that "the project of reform cannot be voted in either of the Chambers without the presence of the absolute majority of the Members of which it is composed."

The project of reform having been approved in the Chamber where it had been presented must pass at once to the other Chamber for discussion and approval during the period of its Session.

If the project of reform should be rejected in the Chamber where first presented, it cannot be proposed in it (again) until the Session of the following year, in conformity with Article 42. But, as your Excellency knows, the Congress of Chile is renewed every three years, and has consequently three periods of Sessions, during which any proposal of reform can be discussed.

If the project of reform should be approved by both Chambers in the manner above designated, it must be submitted to the President of the Republic, who, if he also approves of it, shall promulgate it as a project of Constitutional reform.

It may happen that a project of reform approved by one of the Chambers may be totally rejected by the other, and, in this circumstance, the Constitution provides in Article 50 that the said project of reform shall return to the Chamber of its origin, which shall take it into consideration, and, if it should be approved by a majority of two-thirds of its members present, it shall pass a second time to the Chamber which rejected it, and it can only be held to have been again rejected if a vote of two-thirds of the Members present concurs in so doing.

The Constitution of the Republic has also been placed in the position that a project of reform may be added to or corrected by the revising Chamber, and in such case it is necessary that it should return to the Chamber of origin, and if the additions or corrections should be there approved by the absolute majority of the Members present, it will then pass to the President of the Republic.

"But if the additions or corrections of the project of reform should be rejected in the Chamber of origin, the project shall return a second time to the revising Chamber, where, should the additions and corrections be again approved by a majority of two-thirds of the Members present, the project shall return to the other Chamber, and it will not be understood that the latter rejects the said additions and corrections unless the vote of the two-thirds of the Members present shall concur in so doing."

I have already informed your Excellency that "a project of Constitutional reform having been approved by both Chambers must be sent to the President of the Republic for the purpose which I had the honour to explain to you." Article 166 of the Constitution adds, however, in this respect, that the President of the Republic can only take note of said project of reform with a view to propose modifications or corrections in the reforms agreed upon by Congress.

"If the modifications which the President of the Republic might propose should be approved in each Chamber by the majority of two-thirds of the Members present in accordance with the provisions of paragraph 2 of the 165th Article, the project will be returned to the President of the Republic in the form in which he has presented it for its promulgation."

It might also happen that Congress might approve in part the modifications or corrections made by the President of the Republic, and, if the Chambers should not insist by a majority of two-thirds upon the reforms approved by Congress and modified by the President, approval shall be given to the reforms respecting which the President of the Republic and Congress are agreed, and the project in that form shall be returned for promulgation.

"If the Chambers should not approve the modifications proposed by the President of the Republic, and should insist by a majority of two-thirds in each Chamber upon the reforms previously approved by Congress, the project in its original form shall be returned to the President of the Republic, so that he may publish it." (Art. 166.)

The above are the procedures established by the Chilean Constitution for the discussion and approbation in Congress of any modification which it is desired to introduce in its text.

In this form the project of reform must be submitted to the ratifying Congress, and for this purpose the Constitution disposes as follows (Art. 167):—

"The reforms approved and published, to which the two preceding Articles refer (166-7), will be submitted to the ratification of the Congress elected or renewed immediately after the publication of the project of reform."

This Congress will declare its opinion on the ratification of the reforms in the same terms in which they have been proposed, without making any change in them.

The discussion on the acceptance and ratification will commence in the Chamber which originated the project of reform, and each Chamber will give its opinion by the absolute majority of the number of the Members present, which may not be less than the absolute majority of the number of Members composing each Chamber.

The project of reform once ratified by each one of the Chambers will be transmitted to the President of the Republic for publication.

The project once promulgated, its provisions will form part of the Constitution, and will be considered as incorporated in it.

The reforms which may have to be submitted to the ratification of the immediately succeeding Congress will be published by the President of the Republic within the six months preceding the renewal of the said Congress, and at least three months before the date of the verification of the elections. In issuing the above publication, the President of the Republic will announce to the country that the Congress about to be elected is charged with the acceptance and ratification of the proposed reforms.

Whenever the Congress summoned to ratify the reforms should allow the Constitutional period to elapse without doing so, the reforms will be considered as not proposed (Art. 158).

Should Congress be convoked to Extraordinary Sessions, the projects of reform referred to in Article 156 may be proposed, discussed, and voted in either of the Chambers, even although they had not been included by the President of the Republic in the convocation.

The Congress summoned to deliberate on the ratification of the proposed reforms shall be able, if agreed upon in both Chambers by an absolute majority of votes in sittings held with the concurrence also of the absolute majority of their Members, to remain in Extraordinary Session for ninety days, without necessity of convocation by the President of the Republic, in order to occupy themselves exclusively with the question of ratification.

"In every case the Chambers can deliberate on the ratification of the reforms proposed in the Extraordinary Sessions to which they had been convoked by the President of the Republic, even although that subject had not been included in the convocation" (Art. 159).

I think that I have fulfilled in this long communication the wishes expressed to the Foreign Office by the British Parliament and by your Excellency to this Department. As you will perceive, the Chilean Constituent (Assembly) in elaborating our Fundamental Charter endeavoured to submit every modification which it might be desired to introduce into it to the approval of two Congresses, so that the alterations which might be effected should be the result of a calm and thoughtful resolution.

I avail, &c.

(Signed) V. BLANCO.

COLOMBIA.

No. 3.

Mr. Jenner to the Earl of Rosebery.—(Received August 9.)

My Lord,

Bogotá, July 6, 1893.

IN reply to your Lordship's Circular despatch of the 14th February last, I have the honour to state that "the Constitution of Colombia may be amended by a legislative Act, discussed and adopted after three several readings in the usual manner by Congress, submitted by the Government to the next following Legislature for its definitive action, and by it newly discussed, and finally adopted by two-thirds of the Members voting in both Houses." (Official English translation of the Constitution of 1886.)

The "two-thirds" are two-thirds of the quorum, which is one-third of the total number of Members either in the House of Representatives or the Senate.

The Legislature meets every second year; the Representatives are elected for two Sessions or four years, and a Constitutional amendment may therefore have to be considered by the same or by a different House, according to whether the measure was introduced during the first or the second Session.

Senators are elected for six years, one-third part of the Senate being renewed every two years.

I have, &c.
(Signed) G. JENNER.

ECUADOR.

No. 4.

Mr. Haggard to the Earl of Rosebery.—(Received May 17.)

My Lord,

Quito, April 15, 1893.

WITH reference to your Circular despatch of the 14th February, I have the honour to state to your Lordship that I am informed by the Ecuadorian Government that in both Houses an absolute majority is all that is necessary for any change in the Constitution.

A project of law for such a change is presented, and proceeds in the ordinary way, *i.e.*, it has to pass both Houses and receive the consent of the President; the only difference of procedure with that of an ordinary Act of Legislature being that it has to be passed by two successive Congresses before it becomes law.

I have, &c.
(Signed) W. H. D. HAGGARD.

GUATEMALA.

No. 5.

Mr. Gosling to the Earl of Rosebery.—(Received July 28.)

My Lord,

Guatemala, July 5, 1893.

ON the receipt of your Lordship's Circular despatch of the 14th February last, I lost no time in applying to the Governments of Central America for Returns showing the majorities, numerical or proportional, required in the elective and other branches of the Legislature for any change in the Constitution of those States.

Up to the present, I have only succeeded in obtaining replies from Costa Rica, Honduras, and Salvador, copies of which I have the honour to inclose.

Your Lordship will observe that in all three instances a majority of two-thirds of Congress is required to effect such changes.

So soon as replies, for which I have again applied, reach me from the Governments of Guatemala and Nicaragua, I will forward them to your Lordship.

I have, &c.

(Signed) AUDLEY GOSLING.

Inclosure 1 in No. 5.

Consul Sharpe to Mr. Gosling.

Sir,

San José, May 3, 1893.

I HAVE the honour to acknowledge the receipt of your Circular despatch of the 9th ultimo, requesting me to furnish you with a Return, for presentation to Parliament, showing the majorities, numerical or proportional, required in the elective and other branches of the Legislature for any changes in the Constitution of the Republic of Costa Rica.

In reply, I have the honour to transmit herewith said Return, in duplicate, by which it will be seen that no reforms in the Constitution can take place without the consent of two-thirds of the votes of Congress.

I have, &c.

(Signed) CECIL SHARPE.

Inclosure 2 in No. 5.

Return showing the Majority required for any changes in the Constitution of the Republic of Costa Rica.

ARTICLE 134, section 3, chapter 12 of the political Constitution of the Republic provides: "Two-thirds of the votes of Congress."

Inclosure 3 in No. 5.

Acting Vice-Consul Heyden to Mr. Gosling.

Sir,

Amapala, June 4, 1893.

REFERRING to your Circular, dated 9th April ultimo, regarding the majorities required for any changes in the Constitution of the Republic of Honduras, I have the honour to inform you that such changes can only be made by a two-thirds vote of a Constitutional Assembly elected by a majority of the people for that special purpose by a direct vote.

Article 27 of the Constitution says:—

"The present Constitution may be reformed. The necessity of reforming it must be declared by an ordinary Session of Congress, but can only be effected by a National

Constitutional Assembly convoked for the purpose. The proposition of a reform is invalid unless carried by a two-thirds vote of the Congress. These requisites are excepted in the case provided for in Article 1."

"Article 1. Honduras is considered a separate part of the Republic of Central America, in consequence of which she recognizes as her principal duty and most urgent necessity to rejoin the other separate sections. To attain this object the present Constitution shall be no obstacle, and may be reformed or abolished by Congress to ratify Agreements, Treaties, or Conventions that have a tendency to give, or result in, the national reconstruction of Central America."

I have, &c.
(Signed) G. HEYDEN.

Inclosure 4 in No. 5.

Reform in the Constitution and Constitutional Laws of the Republic of Salvador.

CHANGE or reform in the Constitution can be effected only by a majority of two-thirds of the votes of the Representatives elected to the Assembly. The Article or Articles to be reformed shall be duly printed; the decision thereon being published in the official Gazette, and again submitted to the consideration of the Legislature the following year. Should such reform be then ratified by them a Constituent Assembly shall then be called, consisting of three Representatives from each Department, with power to sanction such reform or reforms, should they approve thereof. It is, however, ordained by Statute that no reform whatever shall be made in Articles 80, 81, 82 relating to the re-election of the President, Vice-President, and Presidential candidates, and to the duration of the Presidential term of office.

Constitutional Laws are those of the Press, State of Siege, National Defence, and Elections. These laws can be reformed by a Constituent Assembly or the Common Legislature, by a majority of two-thirds of the votes, but in no case should any such reforms be legal unless duly ratified by the Common Legislature the following year, and by an equal number of votes.

Any further means of reform employed save those laid down in the foregoing Articles shall be null and void.

HAWAIIAN ISLANDS.

No. 6.

Major Wodehouse to Foreign Office.—(Received August 1.)

MAJOR WODEHOUSE presents his compliments to Sir Philip Currie, and begs to transmit a reply to the Circular despatch from the Foreign Office of the 14th February last.

Honolulu, July 7, 1893.

Inclosure in No. 6.

Article 8 of Constitution of Hawaiian Islands, 1887.

ANY amendment or amendments to this Constitution may be proposed in the Legislature, and if the same shall be agreed to by a majority of the Members thereof, such proposed amendment or amendments shall be published for three months previous to the next election of Representatives and Nobles, and if in the next

Legislature such amendment or amendments shall be agreed to by two-thirds of all the Members of the Legislature, such amendment or amendments shall become part of the Constitution of this Kingdom.

HAÏTI.

No. 7.

Acting Consul-General Tweedy to the Earl of Rosebery.—(Received April 20.)

My Lord,

Port-au-Prince, March 22, 1893.

IN obedience to your Lordship's Circular despatch of the 14th ultimo, instructing me to furnish a Return showing the majorities, numerical or proportional, required in the elective and other branches of the Legislature for any changes in the Constitution of Haïti, I have the honour to report as follows:—

To form a Constitutional quorum for either of the Legislative Chambers, it is required that there should be present two-thirds of their respective Members.

Thus, neither Chamber can pass a Resolution unless two-thirds of their Members are present.

When the required two-thirds of the Members are assembled, a Resolution can only be carried by an absolute majority of votes.

In order to revise the Constitution of Haïti, it is required that each Chamber shall separately declare, by an absolute majority of votes, that there is occasion to proceed with the revision.

After which declaration the two Chambers unite in National Assembly, and the revision cannot be adopted except by a majority of two-thirds of the suffrages.

I have the honour to inclose herewith copy of a statement on the subject by a prominent member of the Haïtian Bar, Mr. I. N. Leger, whom I have consulted, with a view to being exact in my Report.

I may mention that, under the present Constitution, there exist ninety-six Deputies who are elected for a period of three years, and thirty-nine Senators elected for a period of six years.

I have, &c.

(Signed) ARTHUR TWEEDY.

Inclosure in No. 7.

Opinion of M. Leger on Majorities, numerical or proportional, required for Revision of the Constitution of Haïti.

QUELLE est la majorité requise dans les deux Chambres pour la revision de la Constitution d'Haïti?

Le quorum de chacune des deux Chambres Législatives est fixé aux deux tiers de leurs Membres.

Chaque Chambre ne peut donc prendre de Résolution qu'autant que les deux tiers de ses Membres se trouvent réunis.

Quand les deux tiers des Membres sont réunis, les Résolutions sont prises à la majorité absolue des suffrages.

Pour reviser la Constitution d'Haïti il faut que chaque Chambre ait séparément déclaré, à la majorité absolue des suffrages, qu'il y avait lieu de procéder à la revision. Après cette déclaration, la Chambre des Communes et le Sénat se réunissent en Assemblée Nationale, et la revision ne peut être adopté qu'à la majorité des deux tiers des suffrages.

Port-au-Prince, le 19 Mars, 1893.

(Translation.)

WHAT is the majority required in the two Chambers for the revision of the Constitution of Haiti?

The quorum of each of the two Chambers is fixed at two-thirds of the total number of Members.

Each Chamber can, therefore, only pass a Resolution if two-thirds of the Members are present.

When two-thirds of the Members are present, Resolutions are carried by the absolute majority of votes.

In order to revise the Constitution of Haiti each Chamber must have separately resolved, by an absolute majority of votes, that it is necessary to proceed to a revision. After this declaration, the House of Commons and the Senate meet together in a National Assembly, and the revision can only be adopted by a majority of two-thirds of the votes.

Port-au-Prince, March 19, 1893.

JAPAN.

No. 8.

Mr. de Bunsen to the Earl of Rosebery.—(Received May 8.)

My Lord,

Tôkiô, April 5, 1893.

IN obedience to the instruction contained in your Lordship's Circular despatch of the 14th February, I have the honour to transmit herewith extracts from the Japanese Constitution of 1889, showing the majorities required in the two Houses of the Imperial Diet for any changes in the Constitution.

I have, &c.

(Signed) M. DE BUNSEN.

Inclosure in No. 8.

Extracts from Japanese Constitution of 1889.

Preamble.

..... When in future it may become necessary to amend any of the provisions of the present Constitution, we or our successors shall assume the initiative right, and submit a project for the same to the Imperial Diet. The Imperial Diet shall pass its vote upon it, according to the conditions imposed by the present Constitution, and in no other way shall our descendants or our subjects be permitted to attempt any alteration thereof.

(His Imperial Majesty's Sign-Manual.)

Chapter VII.

Article 73. When it has become necessary in future to amend the provisions of the present Constitution, a project to that effect shall be submitted to the Imperial Diet by Imperial Order.

In the above case, neither House can open the debate unless not less than two-thirds of the whole number of Members are present; and no amendment can be passed unless a majority of not less than two-thirds of the Members present is obtained.

Article 75. No modification can be introduced into the Constitution, or into the Imperial House Law, during the time of a Regency.

N.B.—The Japanese Diet consists of a House of Peers, numbering at present 272, and of a House of Representatives, numbering 300.

PERU.

No. 9.

Sir C. Mansfield to the Earl of Rosebery.—(Received May 19.)

My Lord,

Lima, April 7, 1893.

IN compliance with your Lordship's instructions, contained in Circular despatch of the 14th February, received by the last mail, I hasten to transmit the following extracts of Articles of the Peruvian Constitution with reference to the information required:—

Section 2, Article 62. The two Houses shall meet in Joint Congress ("Congreso pleno") to discuss and vote any project upon which either have disagreed, at the request of one or the other House; a majority of two-thirds being in this case necessary for the sanction of the Law.

Article 131. The reform of one or more Articles of the Constitution shall be sanctioned in the ordinary Session of the Legislature, in the same manner as any other Law, and following the same procedure; but the said reform shall not take effect unless it be likewise ratified by the subsequent Legislature.

The present Constitution of Peru was drawn up in 1860, and at the conclusion of the civil war in 1885 was selected from a number of Constitutions, which had been in operation, at various dates, since the declaration of independence, as that possessing the fewest anomalies.

I have, &c.
(Signed) C. E. MANSFIELD.

SAXE-COBURG-GOTHA.

No. 10.

Mr. Stephen to the Earl of Rosebery.—(Received May 27.)

My Lord,

Coburg, May 20, 1893.

IN reply to your Lordship's Circular despatch of the 14th February, I have the honour to report that changes can be made in the Constitution of the State in the

Duchies of Coburg and Gotha by the Landtag, if voted by a simple majority, two-thirds of the Members being present.

I have, &c.
(Signed) A. CONDIE STEPHEN.

URUGUAY.

No. 11.

Mr. Satow to the Earl of Rosebery.—(Received May 20.)

My Lord,

Monte Video, April 28, 1893.

IN compliance with the instructions contained in your Lordship's Circular despatch of the 14th February last, I have the honour to inclose a Memorandum showing the majorities required in the Legislature for changes in the Constitution of the Oriental Republic of the Uruguay.

I have, &c.
(Signed) ERNEST SATOW.

Inclosure in No. 11.

Memorandum.

IN order to modify one or more Articles of the Constitution, it is necessary that a motion to that effect be made in either House of the Legislative Assembly, and if it is supported by one-third of the Members it is communicated to the other House. If it should not be so supported, the motion cannot be brought forward again until the next Session. If in the House to which the motion has been communicated it is likewise supported by one-third of the Members, the two Houses hold a conference to discuss and debate the question. Should the motion then not be approved by two-thirds of all the Members present, it cannot again be brought forward until the following Legislature. But if two-thirds of all the Members declare that the national interest requires that the Constitution be examined with a view to undertaking its reform the executive power shall be notified, who in giving orders for the next elections shall also give notice of the proposed amendment.

The newly-elected Senators and Representatives then come specially authorized by their constituents to examine the Constitution, and to propose the reforms, additions, or variations which had been previously supported by one-third of the two Chambers.

These proposed reforms, additions, or variations having been thoroughly discussed, their final acceptance or rejection, in whole or in part, is reserved for the next following Legislature, which duly authorized thereto will decide by a simple majority of votes.

The constitutional form of the Republic, however, cannot be changed except by a Grand General Assembly, composed of a double number of Senators and Representatives, specially authorized by their constituents to consider a matter of such importance, and the votes of three-quarters of the Members are necessary.

The meaning of the words "constitutional form of the Republic" is to be gathered from Article 13 of the Constitution, which declares that "The Eastern State of the Uruguay adopts for its Government the representative Republican form. With that object, it delegates the exercise of its sovereignty to the three high powers, namely, Legislative, Executive, and Judicial, in accordance with the rules to be hereinafter stated."

To sum up. In order to carry out a change in the Constitution of Uruguay it must be considered by three successive Legislatures, and requires, therefore, a lapse of at least five years from its proposal to its adoption, inasmuch as the duration of a Legislature is three years. For the adoption of the project, or second reading, a two-thirds majority of the whole legislative body is required, while, for the final sanction, or third reading, a simple majority suffices. But for any constitutional change of a radical nature a double number of legislators is required, three-fourths of whom must vote in its favour. In either case, the legislators must have a special mandate from their constituents.

These provisions are contained in Articles 152 to 159, inclusive, of the Constitution of the Oriental Republic of the Uruguay.

(Signed) ERNEST SATOW.

April 28, 1893.

FURTHER REPORTS from Her Majesty's Diplomatic Representatives abroad on the subject of the Majorities (Numerical or Proportional) required in the Legislatures of foreign States for any changes in their Constitutions.

[In continuation of "Miscellaneous No. 1 (1893):"
C. 6970.]

*Presented to the House of Lords by Command of
Her Majesty. September 1893.*

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BOARD OF AGRICULTURE.

REPORTS

ON

DAIRY FARMING

IN

DENMARK, SWEDEN, AND GERMANY.

1892.

Presented to both Houses of Parliament by Command of Her Majesty.



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1893.

[C.—7019.]

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MEMORANDUM.

A large increase in the importation of butter into the United Kingdom from Northern Europe has taken place in recent years. Within the last ten years the receipts of Danish butter in the ports of this country have risen nearly three-fold, or from 304,722 cwt. to 876,211 cwt., and those from Sweden in a still greater ratio or from 67,821 cwt. to 234,987 cwt. It has, therefore, been deemed desirable to collect, in the form of the accompanying reports, the information at present available in the Intelligence Department of the Board of Agriculture on the condition of dairy farming, and the development of the trade in dairy products in these countries. While the supplies furnished by Germany have not augmented in this interval, so much activity has been recently shown in developing dairying in Schleswig-Holstein and other northern provinces of the German Empire as to justify the inclusion of that country in the present survey.

In reply to inquiries addressed through the Foreign Office to Her Majesty's representatives in the States above-named, requesting the transmission of such details as they could procure on the subject, information has been received from Copenhagen, Stockholm, and Berlin, with additional notes on South German dairying from Munich.

Use has also been made of the writings of foreign experts and of official documents, already filed in this Department, in order to present, as far as possible, a comprehensive review of the growth and conditions of the dairy industry in the above countries, especially with regard to the influence of co-operation in the manufacture and distribution of dairy products.

In the preparation of the reports it has been considered desirable to direct attention to improvements in the manufacturing processes, as well as to the organisation and control of the export trade in butter. Some particulars also have been

included, showing the extent of State aid to the development of dairy farming in the shape of money grants to teaching institutions, and the appointment of official advising experts.

Among other authorities consulted much valuable information has been drawn from the works of M. Böggild, the Consulting Dairy Adviser to the Royal Danish Agricultural Society; from the reports which the Secretary of that Society has been good enough to furnish to this Department; from the reports of the German Dairy Association; and from various papers and reports transmitted by the Director of the Kiel Dairy Institute.

Board of Agriculture,
8th August 1892.

Reports on Dairy Farming in Denmark, Sweden, and Germany.

DENMARK.

In a paper published by the Agricultural Committee of the Copenhagen Exhibition of 1888, of which a translation, made by Mr. A. S. Macgregor, then Her Majesty's Vice-Consul at Copenhagen, has been transmitted by the Foreign Office, it is stated that dairy farming of a kind has long been carried on in Denmark, where the keeping of milch cows and the rearing of cattle have flourished side by side from very early times.

Formerly the manufacture of butter was confined chiefly to the summer months. But it seems that a better and more profitable system of management was introduced into the country by the Holsteiners, who settled in Denmark as dairy farmers or managers of estate dairies; and by about the middle of the present century the Holstein dairy system had nearly everywhere superseded the older methods. The farmers then began to use shallow pans for raising the cream, and butter was made in the Holstein churn, worked by hand or horse power.

Holstein system introduced about middle of present century.

The importance of fostering the dairy industry was first recognised by the Royal Danish Agricultural Society, and the encouragement offered by this society, subsequently seconded by State aid, induced a number of eminent scientific men to undertake a series of investigations with the object of determining rational principles for the various processes of dairying. As a result of these inquiries the thermometer and scales were adopted as indispensable appliances in properly managed establishments, and a reliable and detailed method of book-keeping was gradually introduced. These useful innovations were followed by the organisation of a systematic and thorough scheme of practical instruction in dairy management.

Thermometer and scales indispensable in dairies.

About 1870 it became usual to cream the milk in deep cylindrical tin vessels by means of ice. Numerous exhibitions throughout the country aroused the interest of farmers, and helped to bring under their notice the improvement and development of which the industry was capable. The manufacture of machines and utensils used in dairy farming, and the exports of butter, colouring substances, and rennet, as well as of dairy appliances, began to assume considerable proportions.

Milk creamed by means of ice in 1870.

Agriculturists next directed their attention to the selection, feeding, and management of their cows. Autumn calving made it possible to produce large quantities of butter in the winter. Large owners and farmers showed the way to this reform and the small men soon followed.

Autumn calving for winter butter.

All Danish farms now make butter.

Now, it is remarked, almost all Danish agriculturists, whether the landed proprietor with his 300 cows, or the crofter—Huusmand—with his one or two, with like zeal and with equal profit, comparatively speaking, take part in the manufacture of butter.

Centrifugal separators employed in all parts of country.

This has been mainly brought about by the adaptation of centrifugal power for obtaining the cream from the milk, introduced into Danish dairies about ten years ago. At the present time steam centrifugal separators are employed in all parts of the country by large proprietors and farmers. The dairies are either run by landowners who buy up milk from small farmers and occupiers (*Fællesmælkerier*), or co-operative societies (*Andelsmælkerier*) are formed by the farmers themselves for the purpose of establishing factories, to which the milk is consigned by the shareholders and made into butter.

Modern system of dairying.

Full details of the modern system of dairying in Denmark will be found in a work by M. Bøggild, Consulting Dairy Expert to the Royal Danish Agricultural Society, entitled "*Mælkeribruget i Danmark*,"* from which the following notes have been extracted.

Cows in Denmark.

The latest returns give the total number of cows in Denmark as 954,250. These figures, however, include heifers between two and three years of age, and old cows being fattened; the number of cows actually yielding milk is, therefore, estimated by M. Bøggild at 750,000, so that the proportion of milch cows to the population of Denmark is about one to three.

Nearly all cream made into butter. Sour cream used.

M. Bøggild says that nearly all the cream produced in Danish dairies is manufactured into butter. It was formerly the practice to make the butter from sweet cream, but there has been little demand for such butter in recent years, and in most of the dairies the butter is now made from sour cream.

Milk separation by centrifugal machine.

The centrifugal separator is now to be found in almost every dairy in Denmark, but in some few instances creaming is still carried out by the ice and cold water processes. It may be useful to remark here that, as the result of a series of investigations into the working of separators, the late Professor Fjord was able to make the deduction that the quantity of milk capable of being separated within a certain period by a centrifugal machine increases or decreases in approximate proportion to the square of the velocity at which the machine is running. Danish farmers are therefore recommended to ascertain the speed at which the separator is running, and to regulate the flow of milk according to the actual velocity of the machine.

As regards the question of separating milk which has stood for some hours, Professor Fjord found that evening milk, which had stood overnight in water at a temperature of 50°–52° Fah., yielded the same amount of cream as the fresh morning milk, when the flow of the old milk to the separator was one-third

* *Mælkeribruget i Danmark beskrevet af Bernhard Bøggild. Kjøbenhavn, 1891. P.G. Philipsen's Forlag.*

less in volume than that of the fresh milk. This result remained the same whether the cream which had risen during the night was or was not skimmed off before putting the milk into the separator. If, on the other hand, the old milk was heated before the process of separation, it was not found necessary to reduce the flow in order to obtain the ordinary amount of cream, but on churning the cream obtained from the heated milk, less butter was sometimes obtained than by churning a corresponding quantity of cream obtained from fresh milk. It was observed, however, that this deficiency in the butter out-turn was insignificant if the cream was cooled with the help of ice immediately on leaving the separator.

With respect to this observation as to the good result to be obtained by exposing the cream to a low temperature, M. Böggild remarks that already in earlier experiments with centrifugal separators it had been found that very appreciable deficiencies in the yield of butter might arise if the cream was not immediately cooled to from 46°—56° F. after separation.

Deficiency in yield of butter if cream is not cooled.

Bacterial preparations for souring cream are said to be used with advantage in a few dairies, but they have not yet found general application in Denmark. M. Böggild states, that it is becoming more and more recognised that the quality of the butter depends largely on the souring of the cream. In those cases where the cream cannot be allowed to stand and get sour, the cream is soured by the addition of butter-milk, or cream reserved for that purpose from the previous day.

Souring of cream.

Quality of butter dependent on it.

A preparation known as "new sour" is now largely used for souring the milk. It is generally made by exposing cream, half-skimmed milk, or new milk, to such a degree of heat as is considered sufficient to develop the souring processes. M. Böggild urges the necessity of keeping the souring uniform from one day to another, otherwise the butter will vary on different days.

"New sour."

Experience has shown that uniformity in quality seems to be best obtained by using as a souring medium the butter-milk produced in the dairy. The use of "new sour" is recommended in those instances where the quality of the butter is unsatisfactory, and especially where the milk comes to the dairy in various conditions as regards freshness, purity, and flavour.

Butter-milk.

The Holstein churn is used in nearly all Danish dairies; a description of this churn will be found on page 49. M. Böggild observes that to obtain the best results the churn should be half full of cream, and that it should never be less than one-third or more than two-thirds full. The operation of churning, according to the same writer, should be continued for 30 to 40 minutes, but its duration depends largely on the construction of the churn, the number of revolutions per minute, and the temperature of the cream. The temperature, it is remarked, must often be varied in individual cases with the nature of the fodder used and the calving period of the cows; with normal milk it may

Holstein churn used.

Churning temperature may average from 50° to 68°.

Requirements of a good churn.

range from 50° to 68° Fah., with abnormal milk the range may be greater, but experience must decide in each instance what is the best temperature for churning.

A good churn, in M. Böggild's opinion, should produce butter in from 25 to 45 minutes from cream churned at a suitable temperature. It should be so constructed that its velocity, as well as the temperature of its contents, can be easily controlled and regulated. It should be easy to fill and to empty, to clean and to ventilate. The material of which the churn is constructed should allow the butter to slip easily; it should be a bad conductor of heat, and should impart no flavour or odour to the butter. These latter requirements are best met by a churn made of hard wood, such as beech or oak. During the operation of churning the temperature of the cream in the churn should not rise more than 3 degrees Fah.

Not practice to wash butter in Denmark.

It seems that it is not the practice in Denmark to wash the butter in the churn. The butter is either not washed at all, or the strainer holding the mass taken from the churn is merely dipped into a tub containing water, which has been boiled and allowed to get cool, in such a way that a part of the water flows over the whole, thereby washing off the butter-milk which still clings to the small grains of butter. Many dairymen consider this latter system of washing the butter to be very effective in removing the butter-milk, and if carried out in a proper manner, with water of a temperature equal to the churning temperature, it is, to some extent, to be recommended, although there is reason to suppose that in some cases it is detrimental to the bouquet of the butter, by carrying off the delicate aromas. In washing butter, Danish farmers are advised never to use water which has stood over night in the cistern or reservoir of the dairy, and also not to throw water over the butter when passing the product through the "worker."

"Butter workers."

The practice of kneading the butter with the hands is said to be still continued in the smaller dairies, but in all the better establishments the article is now worked up by means of "butter workers," and manipulated with wooden hands, the operator using his own hands as little as possible.

Salting.

Professor Segelcke's recommendations as to salting are now generally followed in Danish dairies, dry salt being added in proportion to the weight of the butter. The necessary quantity of salt, which varies from $\frac{1}{2}$ oz. to 1 oz. per 1 lb. of butter, is either spread between layers of butter, which are afterwards gently kneaded together, or, as is more often the case, the butter is passed once through the worker, then salted, and again passed two or three times through the same machine.

Excessive churning and working make butter soft and greasy.

M. Böggild warns dairymen against the excessive churning and overworking of butter, these operations rendering the product soft and greasy if continued too long. The amount of pressure to which the butter may be subjected in the worker depends largely on the temperature; the warmer the weather the greater care must be exercised not to overwork the butter.

Separated milk is sometimes retained at the dairies, and made up into skim-milk cheese, but it is more frequently used for feeding swine and young stock.

The manufacture of cheese in Denmark is chiefly confined to the production of various forms of skim-milk cheeses for local consumption, and is not yet of sufficient importance to require detailed notice here.

Co-operative Dairies.

The development of the dairy industry in Denmark has been accompanied by a remarkable extension of the co-operative system. This system has been adopted to meet the want of organisation felt by the farmers, and has proved eminently successful as far as the dairies are concerned.

It is estimated by M. Böggild that there are now about 1,000 co-operative dairies in existence throughout the country. In nearly all cases the farmers who produce the milk are also the owners of the dairy buildings and plant. The milk is always paid for by weight and not by measure, but at many dairies, between 300 and 400, the price is also regulated by the percentage of fat in the milk.

In a work published in 1887,* M. Böggild furnishes several copies of the articles of association of co-operative dairies. The following specimen may be regarded as typical of the lines upon which these associations of dairy farmers are constituted.

ARTICLES OF ASSOCIATION.

Par. 1.

The object of the co-operative association is to erect a dairy and to provide the members with the highest possible profit on their cows, by separating the milk in centrifugal separators and manufacturing the cream into butter for sale, while the separated milk shall be made into sufficient skim-milk cheese to supply the requirements of the members and the neighbourhood, and the remaining separated milk, butter-milk, and whey shall be sold to the members at a fair price.

Par. 2.

Any person holding milch cows may be admitted to the association, provided two-thirds of the members vote in favour of his admittance, but any member admitted after the association has begun its operations shall pay an entrance fee of 5s. 6d. per cow. Every member has as many votes as he has cows.

Par. 3.

The directorate of the association shall be elected by the members, and shall consist of five directors, who shall choose from among themselves a chairman, a secretary, and a treasurer, but these three offices must never be combined in one and the same person. The directorate shall

* *Andelsmælkerier.*—Meddelelser samlede og bearbejdede af Bernhard Böggild, 1887.

represent the interests of the individual members in all matters concerning the association, and the signature of the directorate is absolutely binding on the association. One director shall retire every year; in the first five years of the association he shall retire by ballot, but afterwards in rotation; he is eligible for re-election. The directors receive no remuneration, but they may employ a book-keeper, whose annual salary shall be at the rate of 6*d.* per cow, and they have the right to take any sums from the funds of the dairy for the payment of expenses incurred on behalf of the association.

Par. 4.

General
meeting.

The highest authority is vested in the general meeting, which shall be regularly held in the month of February, when every question at issue between the directorate and the members, or between members, shall be finally settled. At this meeting the directorate shall present the account and balance sheet of the previous year, and a statement of the proposed operations for the ensuing year. The meeting shall proceed to the election of a new director, an accountant, and an auditor (the auditing shall be carried out by two members of the association, one of whom shall retire each year). An extraordinary general meeting may be called whenever the directors consider necessary, or when three-fourths of the members hand in a written request to that effect. No general meeting shall be valid unless at least two days' notice thereof has been given in writing or printing to every member, together with a list of the subjects to be discussed. Members can introduce special subjects, but a decision can only be taken thereon when such subjects have been formally recognised, otherwise the decision must be deferred till the next meeting. Alterations in, or additions to, the articles of association, and resolutions to liquidate the association can only be carried when three-fourths of the total votes are recorded in favour thereof. All other matters and election of officers shall be carried by a simple majority.

Par. 5.

Loan for
erection of
dairy.

The directorate is authorised to contract a loan for the erection of the dairy and purchase of plant. For the repayment of this loan every member is held liable in the proportion to the number of his cows, until the loan has been repaid.

Par. 6.

Withdrawal of
members.

When a farm belonging to a member is sold, or otherwise transferred, the share in the dairy is sold therewith, provided that the new owner or tenant will accept all the rights and duties of his predecessor in respect to the dairy. In other cases the association shall pay to the outgoing member, or his heirs, or his creditors, one-half only of the amount of his share. Until the debt on the dairy is paid off a member can only withdraw on giving up his farm. A member who desires to withdraw must give three months' notice to the directorate, and even then he shall only have a right to receive half the amount of his share. Any member expelled by a vote at the general meeting forfeits all claims on the dairy.

Par. 7.

Dairyman.

The directorate may engage a dairyman, who shall manage the operations of the dairy and keep all the books with the exception of the cash book and minute book. The dairyman shall engage, pay, and board the assistants; of the latter there shall be at least one person experienced in dairying, and understanding the preparation of butter, and at least one must be acquainted with the management of the machines. The dairy man shall receive a small fixed salary quarterly as well as free lodging, with a garden, light, and firing, and sufficient butter and cheese to meet the requirements of himself and his family; he shall also receive a commission on every hundred pounds of butter sold at a satisfactory price.

Par. 8.

The milk shall be paid for according to its fat contents, which shall be determined by the dairyman; the milk will be weighed on its arrival at the dairy. Payment for milk.

Par. 9.

In proportion to the quantity of milk he delivers every member is bound to take back the butter-milk and separated milk, and he shall pay for these by-products at the rate of one öre per lb. until the dairy is fully paid off. Later, the general meeting will decide every year at what price these by-products shall be sold to members, but as a rule the actual value shall be paid. Cheese must only be made in such quantities as will return the actual value of the milk used for the purpose. Butter-milk and separated milk.

Par. 10.

Any balance accruing under paragraphs eight and nine shall be devoted to covering the expenses of working and maintenance, while all the remainder is to be used in payment of the interest on, and the extinction of, the debt of the dairy. Losses on the other hand shall be borne by the members, each in proportion to the sum representing the quantity of new milk he has delivered. Profits and losses under Paragraphs 8 and 9.

Par. 11.

As soon as the debt on the dairy is paid off, the chairman, accountant, and dairyman shall take an inventory of the society's assets. The total value thereof shall be apportioned as shares among the members in proportion to the quantity of milk each has delivered since the foundation of the dairy. Thereafter the yearly profits are to be divided in such a way that in the first place five per cent. is paid on every share, and the remainder is to be distributed in proportion to the value representing the milk delivered by each member during the previous year. Annual profits.

Par. 12.

The dairy shall provide and maintain the necessary transport churns and shall undertake the transport of the milk to the dairy. If a member supplies less than 100 lbs. of milk daily, he must take the milk to the nearest high road along which the dairy cart runs. Quantities exceeding 100 lbs. will be fetched from the member's house, but he must keep the private road in good condition. The milk churns must be ready for delivery at the time fixed for the cart to call. Transport of milk to dairy.

Par. 13.

Every member must keep his transport churns perfectly clean, and he must see that the milking is properly carried out, that all the milk is immediately passed through a strainer into the churns, and that the latter are placed in cold water which is changed when necessary. Milk from sick cows must not be sent to the dairy, and no milk must be sent until five days have elapsed after calving. It is the duty of the dairyman, when weighing the milk at the dairy, to see that it is fresh and good. If the churns are not clean or the milk not sweet, the dairyman shall on the first occasion give notice in writing to the member concerned. If these faults are not at once remedied the dairyman may refuse to receive the milk, and if the cans are repeatedly found to be improperly cleaned the member concerned shall be fined each time 2s. 3d. for every cow he holds. Members are not allowed to offer butter or cheese for sale, nor are they permitted to sell their milk to other dairies. But they may keep a sufficient quantity of milk to meet the requirements of their families, and they may give away or sell milk to the peasants in the neighbourhood who keep no cows, provided the interests of the association are not thereby injured. The members have the right to obtain butter for their families from the dairy at a price per pound equal to that which the dairy is receiving for the product. Transport churns must be clean.
Milk must be fresh and good.

Par. 14.

Feeding of
cows.

Members are bound to feed their cattle in such a way that the milk possesses no flavour which is likely to depreciate the quality of the butter. Cabbage, turnip tops, and kohlrabi tops must never be given to the cows. Turnips, kohlrabi, potatoes, rye, vetches, beans, as well as sunflower seed-cake, earth-nut cake, and such foods are not absolutely prohibited, but when such questionable or doubtful feeding materials are given to milch cows the member using them must notify the fact to the dairyman, in order that special attention may be given to the quality of the milk. If the milk, or cream, or butter is detrimentally flavoured thereby, it is the duty of the dairyman to notify the fact to the member concerned, and if no improvement is observed the dairyman may refuse to receive the milk. The chairman of the dairy and the dairyman can at any time prohibit the use of any fodder considered unsatisfactory. Any member who infringes such a prohibition shall be fined from 2s. 3d. to 11s. per cow, and pay for any damage or loss he may have occasioned as estimated by the chairman, accountant, and dairyman.

Par. 15.

Purchase of
fodder, grasses,
&c.

In order that the members may obtain cheap and good feeding materials the directorate shall arrange for the purchase of such materials in bulk, and shall undertake the delivery of same to the members. In order to ensure that the butter may at all times have a satisfactory aroma, every member is bound to purchase as much rape cake as shall furnish at least 1 lb. of the cake daily to every cow during the winter. Finally, the directorate shall seek by every means to get the members to adopt a good, rational, and economical system of feeding their cows, by arranging for the purchase and delivery of grass seeds, &c., so that such grasses and plants may be cultivated as shall have a beneficial influence on the quality of the butter.

Par. 16.

Inspection of
members' farms
and stock.

It shall be the duty and right of the directorate and of the dairyman, whenever they think fit, to visit the members' farms and to inspect the sheds, fodder lofts, and troughs, fields, milking sheds, &c., and the members must give them all necessary help and information. If it is afterwards found that a member has concealed anything, or given false information, he shall be fined from 2s. 3d. to 11s. per cow, and make good any loss or damage he may have occasioned.

Par. 17.

Infectious
diseases.

In order that no infectious disease may be spread through the dairy, and that the separated milk may be of the greatest use to the members, the separated milk shall always be heated at the dairy in order to preserve it. If an infectious disease breaks out in the family, or among the stock of a member, the member must immediately cease to deliver milk at the dairy until the disease has disappeared and his farm has been properly disinfected. In the event of sickness among the staff of the dairy the dairyman shall have the sick person removed immediately, and the dairy must be disinfected. Any infringement of this clause shall be punished by a fine up to 5l.

Par. 18.

Duties of
directorate.

It is the duty of the directorate to supervise the work of the dairyman and to take care that the dairy, together with the machinery and plant,

is at all times in proper working order. It is especially the duty of the directorate, in the spring of each year, to see that the dairy and all machinery, &c. is thoroughly overhauled and repaired, so that the work may proceed in good order during the hot and busy summer season. Every spring, after the repairs have been carried out, the chairman, accountant, and dairyman shall take stock of all the plant and fittings in the dairy so that the members may have an estimate of the value of the property and ascertain whether there has been any depreciation.

Par. 19.

It is the duty of the directorate to see at all times that the balance in Investment of cash is invested in some suitable manner for the benefit of the association. balance. Once a month there shall be a settlement of the amounts due to the members for milk, after deducting the value of butter, &c. which they may have received from the dairy. The distribution of dividends and profits is made once a year after the accounts have been made up and the general meeting held.

Par. 20.

All matters not provided for in these articles must be brought before the general meeting, which alone can make changes in or additions to these provisions.

Commenting on the above rules, M. Böggild remarks that it is of the utmost importance to the success of the dairy that the dairyman shall be thoroughly competent. He should not only understand the manufacture of butter, but should also be able to keep the books, test the milk, check deliveries, &c. Dairyman must be competent.

Members of co-operative societies are recommended to thoroughly clean the transport churns in which the skim-milk and butter-milk are brought back from the dairy, using boiling water for the purpose. To spare soda, M. Böggild says that the churns can be scrubbed inside and outside with lime water, and afterwards rinsed out several times. Churns to be thoroughly cleaned.

In the rules of most co-operative dairies, it is provided that the cows shall be milked dry, the hour also is sometimes fixed at which the milk for domestic use is to be taken, and in several instances members are not allowed to take any milk out of the churns after it has once been strained into these receptacles. The dairyman is advised always to be on the alert to discover any addition of water, or of skim-milk, to the milk; but since the introduction of the system of paying for the milk according to its fat contents, there has been less necessity for vigilance in this direction.

M. Böggild observes that the regulations as to feeding should be arranged to meet the conditions of the district, but in any case they should not be more stringent than is necessary to ensure the good quality of the butter. Regulations as to feeding.

Trade in Butter.

Trade in
butter.

Middlemen
have gradually
disappeared.

Butter graded.

English buyers
telegraph
orders to
Copenhagen.

Advantages
of this
arrangement.

Price of Danish
butter fixed by
a committee.

Average
wholesale
prices.

Until about the year 1880 the butter produced in Danish dairies was delivered to local dealers or agents, who were in the habit of mixing and grading a portion of the butter which they afterwards disposed of through a broker to the wholesale exporters. But with the increasing demand for Danish butter in England the export merchants found it to their advantage to negotiate directly with the producers. The middlemen have gradually disappeared, and as the weekly trade communications have become reliable and regular, the exporters have arranged for the delivery of the butter from the dairies many of them having erected branches in the country districts, where the butter is received on certain days, and paid for in cash. The various deliveries of butter are graded according to quality, and the product is then ready for direct export to England.

Having thus dispensed with the services of the middleman at home, the Danish exporters, according to M. Böggild, subsequently succeeded in avoiding the English commission agents by entering into direct business relations first with the wholesale butter merchants, and later with the retail dealers in this country. The trade is now arranged in such a manner that the English merchants and dealers telegraph their orders weekly on Thursday to the wholesale exporters in Denmark and the butter is despatched by steamship on the following day. The freight is paid by the purchasers, and the price is regulated by the Copenhagen quotation on the day of shipment. M. Böggild says that this arrangement has three advantages: in the first place, the risk is avoided of the butter remaining unsold in the hands of a commission agent; secondly, the agent's commission of two or three per cent. is saved; and finally, the English purchaser is sure of receiving the article in such quantities as he requires.

The market price of Danish butter is fixed by a committee at Copenhagen, consisting of a chairman elected by the Association of Wholesale Dealers; four of the largest butter exporters in Copenhagen; a local dealer; a butter broker; and a dairy farmer representing the Zealand Co-operative Agricultural Society. The committee meets every Thursday to fix the wholesale price of butter for the ensuing week, this being a fair price arrived at after taking the quotations of foreign markets and other factors into consideration.

The following table, taken from a report by M. Böggild,* gives the average of the highest weekly prices, wholesale, in each month of the last 10 years.

* Tidsskrift for Landökonomi, 1892.

AVERAGE Wholesale Prices per lb. of the Finest Danish Butter.

	1881-2.	1882-3.	1883-4.	1884-5.	1885-6.	1886-7.	1887-8.	1888-9.	1889-90	1890-1.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
November -	1 4½	1 3	1 3½	1 2½	1 1½	1 1	1 0½	1 0½	1 0½	1 1
December -	1 4½	1 3½	1 3	1 2½	1 0½	1 1½	1 0½	1 1½	1 0½	1 0½
January -	1 4½	1 2½	1 2½	1 1½	1 1	1 0½	1 0	1 0½	0 11½	1 0½
February -	1 4½	1 3½	1 3	1 0½	1 0½	0 11½	0 11½	1 1	1 0	1 0
March -	1 4	1 2½	1 1½	1 0½	0 11½	1 0	0 11½	1 0½	0 11½	1 0½
April -	1 3½	1 0½	1 0½	0 11½	0 10½	0 10½	0 10	0 10½	0 11½	0 11
May -	0 11½	1 0½	0 11½	0 10½	0 10	0 9½	0 9½	0 10½	0 10	0 9½
June -	1 0	1 0	0 11	0 10½	0 9	0 9½	0 10½	0 10½	0 9½	0 9½
July -	1 0½	1 0½	0 11½	0 10½	0 10½	0 11	0 10½	0 11	0 9½	0 10½
August -	1 0½	1 0½	1 0½	0 11½	0 10½	1 0½	0 10½	0 11	0 10	0 10½
September -	1 1½	1 1	1 1½	1 1	0 11½	1 0½	0 10½	0 11½	0 11½	0 11½
October -	1 2½	1 2½	1 3½	1 1½	1 1½	1 1½	1 0½	1 0	1 0½	1 1

Attention is directed by M. Böggild to the fact that these prices do not always represent the highest prices paid, as in 1888 several dairies received 1d. per lb. in excess of the highest wholesale quotation, and in more recent years many dairies producing butter for export have regularly received from ¼d. to ¾d. per lb. over the Copenhagen quotation.

In the winter of 1888-1889 an association of about 100 co-operative dairies was formed in Zealand and Lolland, with the object of exporting butter direct from the dairies to England without the intervention of the export merchants. Agents have been appointed in England to whom the butter is consigned, and as the result of a spirit of competition which has arisen between these representatives of the associated dairies, and the export merchants at Copenhagen, the price of Danish butter to the English consumer has been considerably reduced. M. Böggild remarks that the facilities of export have contributed to the development of this consignment trade, which has injured the interests of the butter exporters and can scarcely have been of advantage to the producers.

100 associated dairies export butter direct.

Competition of dairies and exporters has reduced price to English consumers.

Denmark's exports and imports of butter from 1865 to 1890 are shown, in English equivalent weights (1 Danish pund = 1.102 lb. avoidupois), in the following table :—

Imports and exports of butter.

DENMARK'S IMPORTS and EXPORTS of BUTTER.

Years.	Imports.	Exports.	Excess of Exports.
	lbs.	lbs.	lbs.
1865-69 average -	1,165,000	10,837,000	9,672,000
1870-74 " -	4,021,000	22,787,000	18,766,000
1875-79 " -	5,434,000	28,956,000	23,522,000
1880-84 " -	7,608,000	32,058,000	24,450,000
1885 - - -	10,200,000	39,116,000	28,916,000
1886 - - -	9,163,000	44,411,000	35,248,000
1887 - - -	11,174,000	53,042,000	41,868,000
1888 - - -	13,563,000	66,355,000	52,792,000
1889 - - -	15,257,000	75,714,000	60,457,000
1890 - - -	20,553,000	98,185,000	77,632,000

It may be interesting to show the figures for 1891 in more detail; these are given by M. Böggild, in a report* to the Royal Agricultural Society of Denmark, as follows:—

Imports in
1891.

IMPORTS of BUTTER into DENMARK from 1st October 1890 to
30th September 1891.

	lbs.
From Sweden - - -	10,767,000
" Russia - - -	9,197,000
" Germany - - -	2,312,000
" America - - -	1,165,000
" England - - -	409,000
" Other Countries - -	98,000
Total - - -	23,948,000

Exports in
1891.

EXPORTS of BUTTER from DENMARK from 1st October 1890 to
30th September 1891.

	lbs.
To England - - -	98,365,000
" Germany - - -	1,832,000
" Sweden - - -	585,000
" Norway - - -	290,000
" Holland - - -	236,000
" Other Countries - -	267,000
Total - - -	101,575,000

From the foregoing table it will be seen that about 98 per cent. of the total quantity of butter exported from Denmark in 1890-91 was shipped to the United Kingdom.

* Tidskrift for Landökonomi. 1892.

Education.

It appears that in Denmark there are at present only three agricultural schools where instruction is provided in the theory of dairying and allied subjects. A large number of dairies, however, take in pupils, and train them in practical dairying. The good work being done by these schools and dairies is supplemented by lectures on the higher branches of dairy science at the Royal Veterinary and Agricultural College in Copenhagen.

Only three schools providing dairy instruction.

The Government exercises no control over the dairies, nor does it directly support the dairy schools, but indirectly it assists them in many ways. Besides offering bursaries and scholarships, the State makes a large grant annually to the Experimental Laboratory for Rural Economics, this institution being mainly occupied at present in arranging a series of butter shows in which more than 400 dairies take part. Other special grants are made in aid of experiments. The State has also appointed three consulting dairy experts in Denmark and one in England, with duties which will be described later.

Government indirectly supports dairy schools.

There can be little doubt that butter producers in Denmark have derived great benefit from the new system of butter shows, and it may be interesting to reproduce here a report dated December 1889, by Mr. A. P. Inglis, Her Majesty's Consul at Copenhagen,* in which valuable details are given respecting the organisation of these shows.

Butter shows.

Dairy Shows in Denmark.

A very interesting series of butter shows has been organised by Professor Fjord, the well-known director of the dairy section of the Danish Agricultural Department, the first of which was opened on November 18, 1889.

It appears that the shows hitherto held had not been of much practical benefit, and with a view to maintaining the position of this country as a producer of first-class butter, and effectually tracing to their source any faults in manufacture, an entirely new system of shows has been started, in which a large number of dairies, dairy experts, and leading butter merchants of Copenhagen and the provinces will co-operate in endeavouring to advance the general interests. It is expected that the evidence and practical information thus collected can hardly fail to be most instructive to all concerned.

In the printed prospectus, setting forth the aim and general arrangement of these shows, from which the following particulars are taken, Professor Fjord states that, while in many of the countries with which Denmark has to compete the most strenuous efforts are being made to improve and develop the yield of butter, the produce of that country has not gained in quality with the rapid increase in the number of associated dairies, whose members, he says, are often not competent to look after the important interests entrusted to them. Complaints, it seems, are not unfrequently heard of want of good-keeping qualities and of the presence of water in butter; and now that the export of this article has become one of the principal sources of the country's income, it is held to be of the utmost importance that every means be taken to

* Foreign Office, Miscellaneous Series, No. 151, 1889, Report on New System of State Butter Shows in Denmark.

maintain the acknowledged position which it has acquired in the markets of the world, and it is contended that the readiest means to attain this end is to organise butter shows on the following plan:—

Object of exhibition.	1. A continuous butter show will be held at the expense of the State during several months of each year, and a suitable building will be provided, where an even temperature can be maintained winter and summer. 2. Fresh samples of butter will be accepted every 14 days, to remain on exhibition until the judges have given their decisions; firstly, on the sample as received, and secondly, 14 days later. The casks of butter will be submitted to the judges in no particular order, and so arranged that it will be impossible for them to be guided in their decisions by any outward sign or mark.
Treatment of exhibits and precautions to secure absolute fairness in awards.	A visit made to the exhibition showed that every cask, on receipt, was weighed, first in bulk, and then the contents separately. The hoops at one end having been removed, the cask, with contents replaced, is lifted on to a funnel-shaped stand made of tin, in the bottom of which is a locked receptacle, containing a glass bottle, to receive the brine or water which percolates through the loosened staves. When the judges go their rounds, the cask itself is further entirely concealed from view in a tin cover secured by lock and key to the stand above mentioned. An aperture at the top allows the contents to be tested.
Two distinct testings.	In previous shows, held in 1888, it had been found that many samples of butter classed as "finest" did not after a short time merit that character. In order to obviate this objection there will in the present shows be two distinct testings, with an interval of two weeks.
Loss of weight.	The loss of weight frequently complained of, and which sometimes takes place during transport from the dairy to the merchant's warehouse, may arise, says Professor Fjord, from the water that comes from the butter-milk being imperfectly pressed out; this fluid, mixing with the salt, runs off in the form of brine, and constitutes a fault in manufacture, which ought not to occur. He remarks that it will now be an easy matter to determine the loss of weight during the fortnight that the casks remain on exhibition, and every facility will be afforded for ascertaining the cause of these defects.
Preparation not permitted.	3. Dairymen desiring to take part in the shows must, as soon as they receive a communication by letter or telegram, at once (<i>i.e.</i>, on the same day) send in a ready-made cask of butter, and undertake to repeat this as often as required. Butter sent in for exhibition must not be pressed or kneaded again after receipt of such notice. The dairyman in this way will be unable, as in previous shows, to make one special cask of butter with an exhibition in view. It is the dairy's ordinary produce which is to be submitted.
Ready-made butter to be sent in.	
Return of feeding and general management of dairy.	Competing dairies have, moreover, to send in a return of feeding and system generally followed on the farm, with especial reference to the week during which the cask was sent in. It is expected that a comparison of the feeding in the different dairies will give a very valuable insight into the influence of certain foods on the quality of butter.
Selection of Judges.	The services of many of the leading butter merchants in Copenhagen and the provinces have been secured as judges. Of these nine act at one time, so that six out of the nine take part in both first and second examinations. The nine are further sub-divided into three groups, each of which records an independent judgment on each cask of butter, without communicating with the other two. By each group thus giving an independent award, which will in its turn be subject to comparison with those of the other two groups, it is expected that greater care will be exercised, and that the final award will be invested with an authority it would not otherwise possess. Besides the butter merchants, three dairy

experts will be employed, one acting in each group. These officers will thus have an opportunity of gaining a more accurate knowledge of the requirements of the trade; they will learn to recognise what are considered faults in manufacture, and be able to use their experience in the interest of the dairies. Great importance is attached to this working together of the various interests involved.

Invitations to take part in the shows are sent to dairies equal to turning out at least three casks of butter per week, and therefore likely to have a cask ready when the invitation reaches them. The butter sent is paid for at current market price. The authorities also defray cost of carriage from the station or port nearest to the dairy. As the same dairy will send in butter several times in the course of the year, great facilities will be afforded for ascertaining which are the best-managed dairies, or the reverse. It will then be seen where the art of butter-making can best be learned.

Payment for butter sent in.

Importance of ascertaining where best butter is made.

The expenses attending these shows, which will be held at intervals of a fortnight during eight months of each year, are estimated at about 165*l.* per month, and the Government Grant for the current financial year is about 1,350*l.*

Expenses defrayed by State.

The following queries had to be answered by managers of competing dairies, with special reference to the show of December 2nd, 1889:—

1. How many pounds of sweet milk are daily made into butter in your dairy?
2. From how many cows is the milk drawn?
3. How many of these cows have calved since August 1st, 1889?
4. How many pounds of butter, of the same description as the sample now sent in, are made in the dairy daily?
5. Is the butter now sent in the produce of one day's churning? If so, which day? Or, of several days' churning? If so, which days?
6. How many pounds of milk were used to one pound of butter on the days referred to in query 5?
7. Is the milk set to cream in tubs? or pans? And of what kind? Are the tin pails set to cool in water without ice? or in water with ice? After how many hours is it skimmed? Is the milk churned?
8. Is a separator used? Is the milk warmed before being put into the separator? If so, to how many degrees of heat (Réaumur)? Is the milk cooled off at once after coming from the separator? If so, how? To what temperature? How much per cent. of cream is taken off?
9. Is saltpetre used? If so, how much to 100 lbs. of milk? or to 100 lbs. of cream?
10. With reference to souring cream, at what temperature does this begin? and terminate? How many hours did the cream stand? Is any ingredient used? If so, how is it prepared?
11. With reference to churning and kneading, at what temperature does churning begin? and terminate? How many minutes did the churning occupy? Is the butter when taken out washed in water? Is it washed a second time? How much salt is used per 1 lb. of butter? How often is the butter kneaded after salting? How many hours does the butter remain between salting and final kneading? At what temperature is the butter kept between each time of pressing?
12. Is the dairy satisfied with the quality of its butter? If not, are you acquainted with the nature of its defects? Was the butter merchant satisfied with the last consignment? If not, of what did he complain?
13. With reference to feeding, especially for manor farms, but may be answered by other dairies. Food for new milch cows? Food for old milch cows? Amount per day per cow of the following food stuffs:—Corn, bran, oilcake, turnips, carrots, &c., turnip leaves, cabbage leaves, mangel leaves, ensilage, hay, straw, other food stuffs?

Queries to be answered by competitors.

Queries for associated dairies :—What is the usual scale of feeding of milch cows on the farms from which the dairy takes its milk supply? Are any special conditions laid down as to feeding? If so, what are they? With reference to the use of roots as food for cows, how long had the roots been taken up before they were used? How long after milking were the roots given? Had the roots or leaves been lying in the stall during milking time?

N.B.—This form is to be filled in and returned within two days after receipt.

Consulting Dairy Advisers.

Consulting
dairy experts.

Perhaps the success of Denmark as a producer of butter is in no inconsiderable measure due to the energy and skilled advice of the experts appointed as consulting dairy advisers by the State, and to the invaluable services rendered by the consulting dairy adviser to the Royal Danish Agricultural Society.

Their duties.

Three consulting experts were appointed to act in different districts of Denmark by the Ministry of the Interior in 1888-89. The duties of these officers, and the conditions under which they are appointed, are set forth in a circular of instructions issued to the dairy adviser for Zealand and Lolland, and published in the Report of the Ministry of Interior for 1889.*

Duties of Consulting Dairy Adviser.

1. The duties of the consulting dairy adviser shall lie chiefly in Zealand, Lolland-Falster, and neighbouring islands, including Bornholm and Samso. Upon application being made to him, he shall assist, by direct advice and actual supervision, the operations and processes of production in the dairies, and shall assist local associations formed with the object of promoting the dairy industry wherever his assistance is desired.
2. He must keep a book wherein he must enter a short summary of all applications made to him, in the order in which he received them, together with a short account of his journeys, especially with respect to the time occupied and importance of the matter on which his advice was sought.
3. For guidance on all doubtful matters and questions of administration he must address himself to the Royal Danish Agricultural Society, who shall determine his plan of operations and supervise his work, and whose approval he must obtain before publishing any paper, report, or communication introducing new and untried arrangements. Applications he may desire to make to the Ministry should be sent through the same society, unless the Ministry shall find it convenient to enter into direct communication with him.
4. He must live in Copenhagen, and must keep the Agricultural Society constantly informed of his address.
5. Any dairy, association, or individual farmer receiving assistance from the consulting expert must pay his expenses to and fro (2nd class railway fare and 1st class steamer), as well as an allowance of 4s. 6d. per day, reckoning a half day from his house or from and to the dairy, and then until he quits the dairy requiring his services. Instead of this allowance the consulting expert can, if he

* Beretning om den under Indenrigsministeriet sorterende landøkonomiske Konsulentvirksomhed, 1888-89.

likes, accept board and lodging in lieu of his allowance. In cases where he visits several dairies in one journey he must apportion his charges for travelling expenses amongst them. The fees are to be paid direct to the consulting expert, who shall give a receipt, and send the counterpart, attested by the signature of the party requiring his services, to the Royal Danish Agricultural Society.

6. The consulting expert is not allowed to receive a gratuity of any kind for the advice he gives, nor is he permitted to trade in dairy products, dairy appliances, materials, &c.
7. The consulting expert shall not, without special permission, give testimonials or recommendations either to persons desiring to find employment in dairies, or for appliances, materials, &c., nor shall he recommend butter or other dairy products.

As regards the above instructions, an order issued by the Ministry of the Interior in June 1889 provides that any period of six hours or less shall be reckoned as a half day. In the same order it is stated that the duty of the expert to assist local societies does not include the giving of lectures, but there is no reason why the expert should not voluntarily consent to give a lecture to a local society, for which he must make his own arrangements and conditions.

As already indicated, one consulting expert is also appointed to act in England. His duties are given in the 1889 report of the Danish Ministry of the Interior as under :—

Duties of
consulting
expert in
England.

Duties of Consulting Expert in England.

1. You will seek to promote the reputation and sale of Danish agricultural products, especially dairy products, in the English markets by all existing means at your disposal, and when these do not seem sufficient you will propose fresh arrangements.
2. You must direct your attention to the conditions affecting the trade in and transport of Danish agricultural products, especially dairy products, both before the goods reach the English market and after they have arrived.
3. You will be required to contradict in the press, especially the English press, unjust and injurious assertions affecting Danish agriculture, especially the dairy industry and products; and you will endeavour to bring about a just appreciation of such products.
4. You will be on the look-out for fraudulent practices in England and elsewhere which may injure the reputation of Danish butter, as well as for cases of fraudulent use of the name Danish, adulterations of Danish butter with margarine and similar practices; and you will make the necessary representations as to the measures for preventing these fraudulent practices; to this end you will be provided with the necessary apparatus (microscopical and chemical) to enable you to detect adulterations.
5. You will ascertain whether other advantageous markets can be opened for our agricultural products, especially dairy products.
6. Whenever there is occasion, and at least once a year, you will send, through the Royal Danish Agricultural Society, a report on the English market for agricultural produce, especially dairy produce, together with an account of your observations and experience respecting the requirements of consumers, the disadvantages or defects which may be detrimental to the sale of Danish agricultural products, especially dairy products, and the changes in the trade arrangements which appear to be desirable.

7. As far as possible you will be required to answer inquiries concerning agricultural and dairy matters which may be addressed to you by institutions or private persons in Denmark. You will also, as far as it seems to you to be useful to Danish interests, answer inquiries from English dealers in, and consumers of, Danish agricultural and dairy produce.
8. You must have no direct or indirect personal interest in the sale of Danish agricultural and dairy produce.

Consulting
Dairy Adviser
to Royal
Danish Agri-
cultural
Society.

In M. Böggild's work, already referred to, an extract is given from the letter appointing the Consulting Dairy Adviser to the Royal Danish Agricultural Society, wherein it is stated that this officer is expected to devote his attention to the condition of the Danish dairy industry and to the rational means of promoting its development. He is also instructed, as far as his duties will permit, to give advice and assistance to societies and private persons engaged in dairying, and for this assistance he is entitled to receive from the parties concerned such honorarium as will cover his travelling expenses. In those cases where he considers it advisable to take no honorarium he is authorised to charge his expenses to the society.

In conclusion it may be remarked that the Government is fully alive to the necessity of maintaining the high reputation of Danish butter abroad, especially in the English market, and to this end several laws have been enacted since 1885 for the regulation of the manufacture and sale of margarine and margarine cheese.

Margarine law.

The last and most effective of these measures, came into force in May 1891. It provides for the registration and inspection of all manufactories of margarine, and prohibits the sale of the article, except in properly marked receptacles of a certain shape. It moreover prescribes that margarine shall be of a lighter colour than butter, and forbids its use as an adulterant for butter, and its fraudulent sale as the genuine dairy product.

The full text of this enactment is contained in a report, dated May 1891,* by Mr. Inglis, Her Majesty's Consul at Copenhagen, who observes that its wisely stringent regulations are rigidly enforced, and any doubts as to the purity of Danish export butter may be safely laid aside.

Consumption
of margarine.

The consumption of margarine in Denmark is stated to have been about 12,000,000 lbs. in 1890 against 10,000,000 lbs. in 1889. The increased use of this article of food has rendered it possible to export more butter, and the consequent gain to the country is estimated to amount to from 225,000*l.* to 281,000*l.* annually.

* Consular Report, No. 960, Annual Series. Report for the year 1890 on the Agriculture of Denmark.

S W E D E N.

The following series of reports and papers on certain aspects of the Dairy Industry in Sweden has been furnished by the Hon. Hugh Gough, Her Majesty's Chargé d'Affaires at Stockholm, and transmitted to the Board of Agriculture by the Foreign Office.

In his introduction to the Reports on Dairying in Sweden, Mr. Gough says:—When it is considered under what great disadvantages the production and preparation of butter is carried on in this country, it becomes evident that the methods adopted by the Swedish dairy farmers must be very superior to those in use elsewhere. Superiority of Swedish methods.

The climate is so severe and the winters are so long that the cattle have to be stall fed, at any rate, during the greater part of the year, and in many parts of the country, where there is no pasture, they have to remain tied up in the sheds all the year round, and are thus entirely deprived of exercise. The scarcity of pasture land, and the consequent necessity for stall feeding, should also tend to make the yearly keep of each cow more expensive, and thus place the Swedish dairy farmer at a disadvantage when competing in foreign markets. That he is, nevertheless, able to compete with great success speaks very highly for the skill, knowledge, and care which he brings to the conduct of his business.

Competition, however, is now tending to increase, owing to Sweden having served as a model to other less advanced countries which are beginning to adopt her methods; and she herself is greatly indebted to Denmark, which kingdom led the way in the establishment of co-operative dairies, and in the abolition of the buying-up dairies, which were themselves a step in advance from the original plan by which each farm had its own dairy. Competition increasing.

These buying-up dairies still exist in large numbers, but there are many reasons why, at least, those unconnected with a farm belonging to the same proprietor may probably fail in the end. Buying-up dairies.

The greatest disadvantage of the system is, perhaps, that the farmers and the owners of the dairy have antagonistic interests.

It is not necessary at present to enclose any report specially bearing on this point, because the inferiority of the buying-up system is accepted as a proved and recognized fact in this country. Inferiority of buying-up system.

To those, however, who are about to establish such a dairy in connection with a farm of their own the following hints are given by a well-known Swedish dairy engineer:—

They must have a large capital at command, so as to be able not only to pay ready money, but to make occasional advances to the farmers, and to insure the goodness of the building, fittings, and all the implements used, also to be strong enough to keep over large stocks of cheese until a good moment for selling arrives.

It is very important that the site chosen should be a good one in itself, and well placed with regard to roads in various directions, and that a sufficient area of land be obtainable.

Dairymaid
must be
experienced.

The head dairymaid must be a woman of knowledge and experience, and her wages must be sufficient, for it is bad policy to cut down this item of expenditure.

Milk must not be received from farms situated a long way off, and care should be taken not to extend the business beyond the limits imposed by the amount of capital at command. Milk coming from far off is injured by the journey, and this is not fair to the farmers who live close by and deliver milk fresh, as it lowers the whole standard of the butter and forces the dairy owner to pay less for the milk, including that sent in by those living in the neighbourhood.

Milk must
contain fixed
amount of
cream.

In buying milk the normal amount of cream it should contain must be fixed beforehand, or else there is a temptation to the farmers to feed the cows with a view to obtain quantity rather than quality, or even to dilute and adulterate the milk, and commit various other indiscretions.

The best results are obtained by paying for the milk according to the quantity of cream it contains.

All or most of the skim milk must be taken back by the producers. Mixed with damaged potatoes and other farm leavings it makes good food for pigs, which should not be kept at the dairy.

Skim-milk
cheese.

A small amount of skim-milk cheese may, however, properly be made at all dairies, even at those worked on the co-operative principle—that is to say, enough cheese for the use of the neighbours, servants, and of those farmers who desire a supply for their households.

When well made, as it is, for instance, at the agricultural colleges, it makes an excellent article of diet, very wholesome and nourishing.

The agricultural colleges sell it at $1\frac{1}{4}d.$ per lb. None is at present exported to England, it not being sufficiently known there.

It should be added, however, that it is more suitable for large institutions, which could consume one or more whole cheeses in a day, than for small households, as, after being cut, it gets dry. This can be partly prevented by keeping it covered with a cloth wetted with beer, but it is best when quickly consumed.

Co-operative
dairies.

Co-operative dairies are recommended to arrange matters so as to cease making butter in the spring, when its price is low,

and devote their attention instead to making whole-milk cheese for export to England.

It is best for co-operative dairies to fetch the milk from the farmers. Fewer cans are wanted, the weighing of the milk is facilitated, the carts are more suitable and run more regularly. The cans, also, are better in make and more easily cleaned at the dairy each day. The skim milk should be each day taken back to the farms by these carts.

The principal part of the salary of the manager of a co-operative dairy consists of a percentage on each keg of butter sold at, or over, the highest nominal price of the day; he also gets a percentage on the general profits of the dairy. The position of manager is, therefore, a very lucrative one for men in their class of life, and for this reason they often remain for a long period in one situation, a circumstance of great importance for the success of a dairy.

Salary of manager of dairy.

The profits of co-operative dairies are not taxed, because these institutions are not considered to form a separate business or trade apart from the farms which contribute their produce.

Profits of co-operative dairies not taxed.

The members, it is true, gain in two ways; first, by the good and steady price they get for the milk; secondly, by the distribution at the end of the year of the profits. One way in which these arise is that often 28 lbs. of milk is considered equivalent in value to the highest price of the day for 1 lb. of butter, and paid for accordingly, whereas, in reality, 26 lbs. is the average quantity of good pure milk required to make 1 lb. of butter.

In all kinds of dairies one of the first requisites is that the person to whom it belongs, or by whom it is managed shall himself have full knowledge of his trade.

Manager must have full knowledge of trade.

In Sweden great advantages result from the fact that young men who are going to farm their own land, or to make a livelihood by farming, learn their profession at one of the two State agricultural colleges, just as future soldiers and sailors learn their profession at the State naval and military colleges.

The two agricultural colleges (whose rules accompany this introduction) each have two departments, the pupils of Department A being of a social standing similar to future naval and military officers, and the pupils of Department B being future small farmers, stewards, and bailiffs. To enter Department A the candidates must either pass a difficult examination, or else have reached a certain standard at the university, besides which, most of these young men in Department A have already served for a couple of years as pupils of some large and experienced farmer.

Agricultural colleges.

A very high class of teacher is employed at these colleges, some of them distinguished men of high scientific acquirements.

Their work is so interesting, many facilities being given for prolonged scientific researches, that in the case of Ultuna, and, doubtless, in the case of the Southern College also, they have

stayed on for years, rather, it is to be feared, in some cases at the sacrifice of material advantages to themselves.

The State helps the dairy industry in several ways.

State help to
dairy industry.

A State subsidy is given to these colleges. Some schools are supported, and the entire expense of boarding out 40 dairymaids is defrayed, at the cost of the Government.

By far the larger part of both Chambers represent the agricultural interest, though they are divided into Protectionists and Free Traders; and the State, while not interfering unduly, is most ready to afford every assistance in its power.

Margarine.

On October 11, 1889, a law was issued, the effect of which is to make it practically impossible either to sell margarine as butter, or to mix any margarine with butter.

On February 20, 1892, the Second Chamber passed a resolution requesting the Government to draw up an ordinance making it equally impossible to use margarine in the manufacture of cheese.

Result of
improved
methods of
dairying.

One rather unfortunate consequence of the improved methods employed in Sweden has been that whereas the quantity of more expensive butter has vastly increased, the quantity of ordinary butter has greatly diminished, and this circumstance has placed butter beyond the reach of many of the poorer households in which it was formerly abundant.

Moreover, there exists a temptation to small farmers to restrict the quantity of milk or butter used at home, so as to increase the amount sold, now that milk is so readily turned into money.

Enclosures.

The reports and papers accompanying this introduction are described by Mr. Gough as follows:—

Enclosures in
Report.

I. A very interesting report on the subject, so far as regards the south-west of Sweden, which has been drawn up by Mr. John Duff, Her Majesty's Consul at Gothenburg.

All the information in the possession of Her Majesty's Legation as to Sweden generally agrees entirely with Mr. Duff's statements except in one small particular, though that gentleman is doubtless quite correct as far as regards the south-west of Sweden.

In that part of the country the co-operative dairies are the most important and successful of any; but, taking Sweden generally, it is found by Herr Liljeborg, the State Instructor that they are not likely to increase much either in number or importance, owing to their being unable to compete with the estate dairies in respect of good management and excellence of produce.

These estate dairies are owned by persons of all classes as well as by limited liability companies.

Sweden has the good fortune to possess a numerous class of peasant yeomen, men of large wealth, owners of lands of

considerable extent, many of them Members of Parliament, but all the time wearing the characteristic peasant's dress, and living in a simple, though hospitable, fashion. They and the country gentlemen, with whom they are on the most friendly terms, spare no pains or expense to improve the stock by introducing large numbers of superior animals, chiefly of the Ayrshire and East Frisian (Dutch) breed. Limited companies, too, in this country, find farming pay well when combined with the dairy, or rather when subordinated to the good of the dairy.

II. The second paper on the list is little else but a condensation of a report, with figures on the Dairying Industry in Sweden during 1890, by the State Instructor.

This report was prepared at great pains by Herr Liljhagen, as it is the first paper of its kind drawn up in Sweden. It was issued by the Royal Board of Agriculture on the 15th February, 1892, and thus contains the latest authentic information on the subject of which it treats.

III. The third paper on the list is a set of regulations for young women under instruction as superior dairymaids, &c., and it was drawn up by Herr Odelberg, Director-General of the Royal Agricultural Board, which gentleman Her Majesty's Legation have to thank for much information freely placed at their disposal.

IV. The fourth paper is a law somewhat similar in terms to the above regulations, but applicable rather to the dairy schools than to persons under a sort of apprenticeship at large dairies.

V. The fifth paper is a set of regulations for the two agricultural colleges of Ultuna and Alnarp, which are models of admirable management and organisation.

VI. Lastly, paper No. 6 is a copy of the rules of two existing co-operative dairies in Sweden marked A and B.

Dairy A was opened in August 1885 at a cost of 1,600*l*. It then had 22 members, but in 1889 it had 54, with 1,050 cows.

Dairy B opened in 1887. At the end of 1889 it had 25 members, with 2,807 acres between them, divided in quantities of from 24 acres to 297 acres. It cost about 1,650*l*. In 1889 it received 1,828,193 lbs. weight of milk, the largest amount being in January and the smallest in October. 417*l*. was divided among the members in 1889 after repaying a percentage of the capital.

I. REPORT ON DAIRYING in SOUTH-WEST SWEDEN.

Mr. John Duff, Her Majesty's Consul at Gothenburg, furnishes the following interesting details on the dairy industry in south-west Sweden.

Cream dairies.	Previous to the present system of dairy farming in Sweden, which is of recent date, the dairies were what are known as cream dairies, <i>i.e.</i> , places where the cream was bought up from the farmers and churned. This mode of working produced what is now called second-class butter. There were also several
Butter factories.	butter factories, but now there is not one in the country. A butter factory is a place where the butter is bought up from the farmers in lumps of 5 to 10 or 20 lbs., sorted as to quality and colour, passed through a butter worker with fluted rollers, and then packed in casks.
Dairies have multiplied in last 8 or 10 years.	Dairies have increased greatly during the last eight or ten years, and may be classed as follows:—Estate dairies which only use the milk produced on the estate; estate dairies which, besides the milk produced on the estate, receive milk from the producers; dairies belonging to private persons or to companies, which receive the milk from the producers; and co-operative dairies, in which the producers of the milk are interested as shareholders.
Co-operative dairies.	Of these different classes of dairies, the co-operative dairies, which have lately been established in this country, attract at present some attention among agriculturists, particularly in the province of Skane, where about 20 large dairies have been started during the last twelve months.
Advantages of co-operation.	The principle of the co-operative system is that the farmers in a district jointly build a dairy, where the milk produced by them is refined for their mutual benefit. By these means the farmers take the dairy industry into their own hands. The whole profit goes to the producers of the milk, and expensive intermediate parties are avoided. The advantages to the farmers of a similar organisation and co-operation are great. Besides taking the profit by refining their own produce, it has turned out that the co-operative dairies everywhere produce a superior and better paid article than the dairies belonging to private parties, which receive the milk from the producers.
Superior butter produced in co-operative dairies.	The superiority of the butter, particularly from the co-operative dairies, is chiefly owing to the advantageous circumstances under which these operate, and may principally be ascribed to the responsible relation in which the dairy and its purveyors stand towards each other, it being in the interest of the shareholder to deliver as good milk as possible to the dairy, of which he previously derived no advantage, or regarding which he took no pains, when delivering the milk to the private dairy. The producer of the milk is aware that if he improves the quality of the milk he delivers to the co-operative dairy, his profit increases. The fact of his being personally interested in the dairy industry

enables him to control his neighbours and co-partners. This and the responsibility, which a careless or dishonest shareholder is subject to, prevents fraud in the delivery of milk to the co-operative dairy.

The chief advantage of the co-operative system no doubt is that the large landowner as well as the small farmer or peasant may be a shareholder in the dairy, and thus the latter may also enjoy the advantages afforded by a well arranged dairy industry. The dairies are worked upon the most rational methods, and only skilled hands are employed in the work of receiving the milk, separating and refining the cream, and churning the butter. The work is performed with the greatest care, and the utmost cleanliness is observed in all details. The dairymaids get a preliminary practical and theoretical training at the dairy schools, and their practical knowledge is completed in the dairies. The Swedish invention of the separator gave a great impetus to dairying, not only in Sweden, but in all parts of the world where it is being used.

Chief advantage of co-operative system.

Training of dairymaids.

Among the dairy appliances exhibited at the agricultural exhibition here last August, the Extractor, the Alpha-Separator, and the Lactocrit, obtained the highest awards.

Dairy appliances.

The extractor, invented about three years ago by C. A. Johanson, of Stockholm, doubtlessly introduces great simplicity in dairying, and it is hoped that it will prove equally practical. The machine having, since it was exhibited here, undergone several improvements, may now prove more suitable, and deserves attention by those who find it advantageous to make sweet butter.

The butter extractor.

The exhibition here was the first Swedish exhibition at which the celebrated Alpha-separator was entered for competition. This separator is an improvement of the old separator, and is considered the most excellent dairy appliance yet invented, its capacity being unexcelled.

The Alpha-separator.

The lactocrit, invented by Doctor de Laval, the inventor of the separator, is an apparatus by which the fatness of the milk is ascertainable. It is the speediest, simplest, and most reliable method of ascertaining the richness of the milk.

The Lactocrit.

At the last exhibition here the Swedish butter gained a decided victory over its greatest competitor, the Danish, particularly with regard to keeping quality.

Not many years ago Danish buyers used to import Swedish butter to Denmark for the English market, where it was sold as Danish butter, but it is believed that this practice has now entirely ceased, and the Swedish butter is sold to England under its proper name, direct.

Swedish butter now sold direct.

The description of cattle within this district is very good, owing to the care with which they are raised. The native animals are small, but by crossing with English, Scotch, and Dutch breeds, principally the Ayrshire breed, a very fair size has been attained, and a breed well suited to the climate and pastures.

II. CONDITION of the SWEDISH DAIRY INDUSTRY in 1890.

The subjoined particulars of the Condition of the Dairy Industry in Sweden in 1890, have been extracted from a report prepared by Herr Liljhagen, State Dairy Instructor in Sweden.

Some Details respecting the Swedish Dairy Industry in 1890.

Total number of Dairies	-	-	1,562
Of these: Dairies using the separator	-	-	899
Dairies using ice	-	-	526
Dairies only producing cheese	-	-	129

In the above are included three different classes of dairies, viz.:-

Estate dairies.	<i>Estate Dairies</i> using only their own milk. Produce is best here owing to the feeding of the cows and management of the dairy being in a single person's hands	809
Co-operative dairies.	<i>Co-operative Dairies</i> owned by those who supply them in proportion to the extent of their pastures or the numbers of their cows. Each owner is paid according to the price obtained for the milk. Owing to the common interest of the owners to obtain a high price for the dairy produce, this class of dairy produces the next best products after the estate dairies	73
Buying-up dairies.	<i>Buying-up dairies</i> are on an uncertain footing. Sometimes the milk producers, knowing that these dairies are dependent on them, do not observe regulations made for ensuring the best quality of milk	610

The weight of milk received in the dairies in 1890 was 1,114,783,700 lbs., and the quantity and value of the dairy products of that year were as under:—

Dairy products in 1890.	Weight.	Value.
	Lbs.	£
Butter	35,448,018	1,654,044
Whole-milk cheese	3,843,855	106,646
Half-milk cheese (whole milk mixed with skim milk)	1,294,207	26,114
Skim-milk cheese	9,387,445	47,354
Total of dairy products	49,973,525	1,834,158

It will be seen that butter is valued at the rate of 11·2d. per lb., or say 11½d. per lb. (1·85 kronor per kilogram).

Whole-milk cheese is valued at 6·6*d.*, or say 6½*d.* per lb. (1·10 kronor per kilogram). Half-milk cheese is valued at 4·8*d.*, or say 4¾*d.* per lb. (80 öre per kilogram). Skim-milk cheese is valued at 1·2*d.*, or say 1¼*d.* per lb. (20 öre per kilogram).

There are 26 local agricultural societies; three of these give nothing, but the other 23 subscribed 4,009*l.* in 1890 to encourage excellence in dairying. Twenty-two provinces or societies employ a dairy adviser, and there are five stations for controlling the quality of the products. Local agricultural societies.

The Central Government, moreover, in 1890 subscribed 2,000*l.* to provide for one instructor, one commercial agent, two higher courses of instruction in dairying, two dairy schools in the north with six pupils in each, and 18 model dairies (mejerestationer) where 40 dairymaids received instruction, the State paying 21*l.* per annum for each. Aid from Central Government.

As an instance of the way in which the provincial agricultural societies apply their subscriptions, the province of Östergötland, which lies to the south of Stockholm, may be taken.

This province subscribes altogether 286*l.*, which sum is made up as follows:—

Adviser to dairies	-	-	-	-	£
Travelling expenses	-	-	-	-	111
Provincial dairywoman	-	-	-	-	42
Teaching of six female pupils	-	-	-	-	11
Milk examination station	-	-	-	-	33
Exhibitions of dairy products	-	-	-	-	33
					56
Total	-	-	-	-	£ 286

Any good Swedish dairy is now arranged for making cheese as well as butter, and there are separate rooms for washing the vessels, for the separators, for artificial cooling, for curdling, butter working, &c., as well as a roomy and suitable place for keeping the cheese. The pipes for throwing away slops are not left open as formerly, but are lined with a preparation of glass and cut off with a swan neck. The floors are of stone flags laid on cement and joined together with asphalt. The ventilation comes through ventilators in the walls as well as in the windows. Either steam or water power is used for turning the separators. Cheese made in good Swedish dairies.

When the milk comes in it is weighed and then poured into a reservoir, at such a height as to allow it to run direct into the separators. Dairy processes.

The cooling basins for milk and cream are now made of wood, not as formerly of stone or cement, which did not act well. Washing-tubs have been abolished; there is now a small iron cistern high up on the wall which supplies warm water to a small basin underneath, in which each separate object is washed in clean warm water. Milk is weighed.

The cream has almost always turned before being made into butter.

Temperature
of milk.

The temperature of the milk at the moment it is put into the separator is between 77° and 90° F., but the cream before turning is cooled down to 40° F. or less. While turning it goes up to between 59° and 70° F., according to the season. The temperature during churning may rise somewhat more than 1° centigrade (1.8° F.), but should not rise more than 2° centigrade (3.6° F.) before the butter is formed. The butter is then washed in water one or two degrees colder than the churning temperature.

Butter is not
touched by
hand.

The butter is not touched by hand even for putting in the salt, but its final working does not take place until the salt has melted even if that takes a whole day.

The butter is packed in kegs made of beechwood, which are first carefully washed, and then lined with parchment paper.

It is sent off once a week from the dairies and almost always to England.

Butter and cheese are protected by an import duty of 1½d. per lb. (20 öre per kilogram). In the case of skim-milk cheese this is about 100 per cent. on its value.

It should have been stated that 33 gallons of milk per day (which is the amount required for making a rather small cheese) is the smallest quantity received by any co-operative dairy.

A hundred and ten gallons per day is the smallest amount received by any butter-making dairy possessing steam power and a separator.

No co-operative dairy has less than six or more than 60 members.

Exports in 1890.

Export of
butter.

The weight of butter exported in 1890 was 32,981,685 lbs. (294,479 cwt.).

This may be valued at 11½d. per lb., or say a total of 1,522,325l.

The export of whole-milk cheese, weighed 299,279 lbs., valued at, say, 6½d. per lb., or a total of 7,548l.

There are three sorts of whole-milk cheese made. One is cheddar, made in the English way; the other two sorts have little holes in them like gruyère cheese. In one case the holes are the size of a pea, in the other case much smaller holes.

Practically all the butter exported goes to England. The export of butter in 1890 is given above as 294,479 cwt., and the import of butter into the United Kingdom from Sweden in that year was 224,235 cwt.

- III. Regulations, drawn up by Herr ODELBERG, Director-General of the ROYAL BOARD of AGRICULTURE, Sweden, for those dairy farm stations receiving a subvention from Government. These regulations were issued by the Royal Swedish Board of Agriculture, April 11th 1880.

THE OBJECT OF THE DAIRY STATIONS.

Par. 1.

It is intended that those pupils admitted to these dairy stations be trained as good and skilful dairymaids, by practical and theoretical instruction received at private dairies that are well managed, and in all respects fitted up to date. Object of dairy stations.

This instruction must be gained at two separate dairy stations, a twelvemonth being spent at each, so every pupil must devote two years to learning her calling.

ESTABLISHMENT OF DAIRY STATIONS.

Par. 2.

The Royal Board of Agriculture obtains a written agreement from the holder of the dairy that be deemed suitable, stating that he will receive and provide board and instruction for a certain number of pupils according to these regulations, in return for a certain fixed sum to be paid from funds placed at the disposal of the Board of Agriculture; as also that he will strictly observe these regulations and other decisions, the Board of Agriculture may find it necessary to arrive at concerning the work carried on at the stations. Establishing dairy stations.

By this agreement, which is entered on for a certain time with the option of its being annulled after due notice being given on either side, it is also decided whether the dairy station shall receive pupils of the first or second year for instruction, according to rules contained in Par. 13.

When a new dairy station is to be established, or an agreement made with a dairy holder concerning such a station, whether it be in consequence of the time agreed on coming to an end, or notice being given on either side, or from any other cause the agreement cease to hold good, the Board of Agriculture, should this be deemed advisable, may insert notices in the newspapers as also in the provincial local papers as regards the proper time for sending in tenders respecting a dairy becoming such a station as mentioned above.

Such tenders may, however, be forwarded to the Board of Agriculture by the holder of a dairy, even should no notice have been made public in any way.

MANAGEMENT.

Par. 3.

The management of the dairy station is entrusted to him or those to whom this charge is given by the administrative committee of the Agricultural Society of the district where the station is, and the inspection of several stations may be assigned to the same director or board of management, if within the precincts of the same Agricultural Society. Management.

When the board or director is decided on, as also when any changes take place, the above-mentioned committee must send in a report to the Board of Agriculture.

Par. 4.

Duties of
Board of
Management.

The duties of the Board of Management are :—

To see that these rules and regulations are strictly adhered to at that station entrusted to the supervision of the board.

To send in a report to the Board of Agriculture in the event of any pupil dying, or leaving the station in manner described in Par. 12, or from any other cause.

To fix the date of the yearly examinations mentioned in Par. 16.

Yearly, before the expiration of the month of December, to send in a report to the Board of Agriculture, through the hands of the committee of administration of the Agricultural Society, concerning the work accomplished at the station during the previous year of instruction, in which report those testimonials or certificates mentioned in Par. 16 are to be included that have been awarded pupils at the stations.

Should the holder of a dairy where such a station has been established expire, or any change as regards ownership of the dairy take place, the Board of Agriculture must be informed at once by means of the above-mentioned committee.

Concerning the duties of the board of management as regards pupils, vide Par. 6.

THE MANAGER.

Par. 5.

The manager
of a dairy
station.

The manager of the dairy station, which post must be filled by the holder of the dairy where the station is established, must live on the premises and closely supervise the station, his duties being :—

To take care that order and morality reign among the pupils.

To see that the instruction at the station be carried on according to these regulations.

To fulfil the duties set forth in Par. 6 of these regulations concerning the reception of pupils, &c.

To have that pupil fetched, as stated in Par. 9, at the commencement of the course, who has given due notice of her arrival at the station.

To provide the pupils with board and lodging and to pay them their clothing money at the proper time, as further explained in Par. 11.

To keep a register concerning the pupils that come to the station, as also complete minutes concerning final testimonials gained by them.

Yearly exami-
nation of
pupils.

To arrange the yearly examinations of the pupils mentioned in Par. 16 and distribute the certificates gained by them as stated in the aforesaid paragraph.

On the arrival of the State Instructor in Dairy Farming, or any other person appointed by the Board of Agriculture to make an inspection, or on any other errand connected with the station, to provide him with a private room free of charge, as also firing, lights, and board during his stay at the station.

Before the close of the month of November yearly to forward to the board of management of the stations an account of the instruction and dairy management of the station during the previous year of instruction just ended.

As stated in Par. 16, to send in copies of the certificates or testimonials obtained.

And on any changes taking place in the number of the pupils from any other cause than that mentioned in Par. 12 to give information at once to the board of management of the station.

PUPILS.

Par. 6.

Admission of
pupils.

Pupils are admitted to the two-years' course by the boards of those dairy stations where the pupils for the first year are accepted.

Each year previous to May 1st the manager of such a station gives due notice of such a place being vacant, and on the expiration of the

time appointed for applications being sent in, examines them, and founding his choice on the documents, the manager sends in his suggestions concerning the filling up of the vacancy, as also the applications to the board of management of the station that should come to a decision before June 15th of the same year.

On a candidate being accepted, information thereof is to be given to the Board of Agriculture, as also to the manager, on whom it devolves, without delay and at latest by July 1st, to have informed every applicant of the decision of the board, while to that candidate who is accepted as a pupil a copy of these regulations is also to be forwarded.

Acceptance of candidates-

Those pupils that have passed the first year's course of instruction are to be distributed among those dairy stations where the pupils of the second year are taught; the choice of station in every case resting with the Board of Agriculture.

Par. 7.

The application for admission as pupil must be written by the applicant herself, and be given in to the manager of the station before June 1st of that year when admission is desired, and be accompanied by a proper "parish certificate,"* as also a certificate from a physician concerning the state of her health and constitution, as also any other documents that the applicant may deem necessary so as to fulfil the demands of Par. 8.

Par. 8.

To obtain admission as pupil at a dairy station it is necessary that the applicant—

Qualifications of candidates.

- (1.) Has completed her twentieth year.
- (2.) Has a sound and strong constitution.
- (3.) Can read and write legibly.
- (4.) Is at home in, and has practised, the four rules of arithmetic, as also decimal fractions.
- (5.) Is skilful in milking.

Par. 9.

Should no other arrangement be made by the manager and the future pupil, on October 28th of that year when her course of instruction is to commence, and having previously given at least a week's notice of her arrival, she must present herself at that stage, station, or landing-place that is nearest to the dairy, whence it devolves on the manager not only to fetch her, but also her luggage, free of charge.

Par. 10.

The pupil is considered as legally in the service of the manager, must submit to the regulations for hiring servants, but may not be put to any other work than that which can advance the purpose for which the pupils are at the station, nor to milking the cows.

Pupil legally in service of manager.

Par. 11.

At the expense of the manager the pupil is entitled to instruction, board, and lodging, a separate bed, and a yearly sum of 5.) kr. (2l. 15s. 6½d.) for clothing, which, on April 1st and October 1st, is to be paid by the holder of the dairy; 25 kr. being paid each time.

Pupil entitled to instruction and board.

Par. 12.

The pupil, who in consequence of bad conduct proves herself undeserving of continued residence at the station, may be dismissed on application being made to the board of management by the manager. Should a pupil, when passing through her first year's course, prove unsuitable for the dairy, the manager must report the fact to the board of management, that in its turn sends in an account to the Board of Agriculture, on whose decision it depends whether the pupil be allowed to

Dismissal.

* A document given every Swede on confirmation that is called for on every possible occasion, and on which is recorded each time the holder takes the Holy Communion.

continue her second year's course or no. Anyone thus dismissed from the station or course of instruction has no claim on clothing money that has not previously become due.

INSTRUCTION.

Par. 13.

Instruction. The instruction at the dairy station should be conducted so as to give the pupil such skill and knowledge as will further the purpose for which the pupil according to Par. 1 is at the station, and the said instruction, while duly following the sub-mentioned plan as regards the division of subjects during the two years, shall embrace—

THE FIRST YEAR.

First year.

- (a.) General review of the arrangements of the dairy with all belonging thereto.
- (b.) Keeping the dairy and all its appurtenances clean; the care of the engine and separator; and the taking to pieces and replacing of the latter.
- (c.) The treatment of milk with ice.
- (d.) The preparation of salt butter of such quality that it is suitable for exportation, and of cheese from skimmed milk.
- (e.) Keeping the dairy accounts according to the method prevailing at the dairy until a certain degree of proficiency be obtained therein. The pupil, moreover, to be allowed opportunities of improving her knowledge of arithmetic, handwriting, and orthography.

2. THE SECOND YEAR.

Second year.

- (a.) The making of cheeses of whole milk and of half milk, that is with half the cream subtracted, and also of butter.
- (b.) Obtaining the facility of judging the quality or character of the milk or other dairy product as regards taste, appearance, &c. &c.
- (c.) Keeping simple accounts according to the formula prescribed by the Board of Agriculture.
- (d.) Making notes on the making of butter and cheese according to methods taught the pupil.
- (e.) Giving the pupils a short and popular summary of the general rules of dairy management. During this second year the pupils will receive instruction in dairy farming for a short time during their stay at the dairy station, as arranged by the Board of Agriculture, and stated in Par. 14., so as still further to advance the purpose of such a station.

Par. 14.

The instruction mentioned in Par. 13 will be imparted to the pupils by a person appointed by the Board of Agriculture, who for this purpose will visit the different dairy stations, and on whom it devolves, after due examination, to decide on the knowledge or skill which, both during his instruction, as also otherwise in regard to the subjects described in Par. 13, the pupils may have learnt or acquired.

Practical instruction. The practical instruction in dairy farming is to be imparted to the pupils by a person paid by the holder of the dairy, which person must be engaged on the dairy, and, so as to be considered competent to impart such instruction, must have proved that he or she is skilled in making first-class dairy products.

Par. 15.

The twelvemonth devoted to instruction begins on October 29th of the one year and concludes on October 23rd of the following.

Par. 16.

Yearly in the month of October, on a day that is fixed by the board Examination, of management of the dairy station, the manager must hold an examination of the pupils, to whom certificates or testimonials are given by the manager according to a formula issued for this purpose by the Board of Agriculture. These certificates are forwarded to that person who by the Board of Agriculture has been entrusted with the instruction mentioned in Pars. 13 and 14, who must then sign them. Those certificates belonging to pupils that have passed their first year's course are then sent to the manager of that dairy station where the pupil in question is to pass her second year of instruction, while the other testimonials are sent to the proper managers, to be by them promptly forwarded to the pupils.

A copy of these testimonials must be sent by the manager to the board of management of the station, and are entered in the journals for the year as prescribed in Par. 4.

INSPECTION.

Par. 17.

The dairy station must submit to that inspection which the Board Inspection, &c. of Agriculture may deem it necessary to prescribe.

IV. REGULATIONS for those DAIRY SCHOOLS that receive SUBVENTIONS from the GOVERNMENT. Signed at the Castle, Stockholm, May 14th, 1880.

Par. 1.

These dairy schools are opened to pupils with the object of instructing Purpose of them in the elementary knowledge of good dairy farming, and especially such dairy in the practical skill that is called for in the different departments of schools. dairy management.

Par. 2.

The dairy school should be established at a place where both dairy and cattle farming are skilfully carried on, and where the supply of milk is sufficient for uninterrupted dairy farming.

Par. 3.

The owner or manager of the estate where the school is opened has a Government right to enjoy the Government grant on condition of his superintending the instruction, or getting a skilled manager to do so, and of his being responsible that the regulations enjoined by this enactment are strictly adhered to.

Par. 4.

As preliminary instruction in the management of a dairy the following Preliminary subjects should be taught at dairy schools:— instruction.

- (a.) Arithmetic, writing, keeping day-books and simple accounts concerning dairy management.
- (b.) The component parts of milk, the effects of different forage, and difference in value during the various periods of milking.
- (c.) The various methods of dairy farming, and their use in different circumstances.

Par. 5.

So as to impart to the pupils the above-mentioned elementary knowledge and complete practical skill in dairy farming at each school there should be—

Teaching
staff.

1. A teacher (male or female) in arithmetic, writing, and book-keeping.
2. A teacher (male or female) in the principles of dairy farming, and of how the best methods thereof may be applied.
3. A teacher (male or female) for the daily instruction of the pupils in the practical departments of dairy farming.

Par. 6.

Free pupils.

At every dairy school there should be accommodation for at least six free scholars, or pupils who receive instruction gratis. Paying pupils may also be admitted should circumstances so allow.

Application for admission as a pupil should be handed to the Agricultural Society of that province in which the applicant resides, and the administrative committee of the society forwards it to the manager of the dairy school, with a statement concerning their opinion of the character and ability of the applicant.

Par. 7.

Qualification
of candidates.

The applicant, to insure admission as a pupil, must have a good character and knowledge of religion, a sound constitution, and the strength necessary for the performance of those duties entailed by attending the school.

The pupil should, moreover, be able to read fluently, to write a legible hand, and should know the four simple rules of arithmetic, and have intellectual faculties sufficiently developed to be able to benefit by the instruction imparted at the school.

Par. 8.

Nomination of
pupils rests
with manager.

The nomination of the pupils rests with the manager, who must, however, see that two or more free scholars or pupils are not admitted from the same province, so long as there be suitable applicants from other quarters.

The pupils are considered as legally engaged in the manager's service, and therefore bound to conform to the "Regulations for Servants."

Par. 9.

Misconduct
of pupils.

A pupil who by misconduct proves unworthy of continued residence at the school may be sent away by the manager, without having any claim for compensation.

Par. 10.

Pupil to have
proper lodging
and food.

The manager must supply the pupils with proper lodging, bedding, and bedclothes, and plain but wholesome and sufficient fare of the same kind as is usually given to the servants in the place where the school is.

Par. 11.

One year's
course of
instruction.

The course of instruction for the pupils lasts for one year.

The manager draws up the plan of instruction for the pupils, which, when formulated or changed, must be submitted to the approval of the administrative committee of the Royal Board of Agriculture.

The manager decides the time for the work, meals, and repose of the pupils on his own responsibility, so long as the plan of instruction fixed is not altered.

Par. 12.

Morals of
pupils.

The manager must watch over the morals of the pupils, and see that habits of diligence and tidiness are enjoined.

Par. 13.

The pupils, after passing their course, are examined in presence of a representative chosen by the administrative committee of the agricultural society of the province wherein the school is, and to which said committee the superintendence of the school is entrusted. The manager of the school afterwards forwards to the pupils their "final certificate," according to the rules laid down by the Board of Agriculture.

Par. 14.

These dairy schools are placed under the supervision and control of the Schools administrative committee of the Royal Board of Agriculture, with whom it rests to publish more particular regulations concerning the best arrangement of instruction as compatible with this law. Each year before the close of March, this committee should receive from the manager of the school a detailed account of the progress of the school during the previous year, which account should be attested by the administrative committee of the Society of Agriculture.

V. REGULATIONS CONCERNING INSTRUCTION IN DAIRY FARMING AT AGRICULTURAL COLLEGES, which, together with the Royal Note of April 13th, 1883, shall be observed until further notice.

Par. 1.

The instruction in dairy management at the agricultural colleges, which is under the supervision of the head of each college, embraces two courses, one being for dairy, the other for agricultural pupils. Dairy instruction at agricultural colleges.

The dairy pupils, during their course, which lasts a twelvemonth, should be instructed in dairy management so that they acquire a satisfactory knowledge of the accessory sciences pertaining thereto, as also practical experience in the performance of dairy work, so that at the close of each course they may be sufficiently skilled to be appointed teachers in dairy farming and as managers of large dairies.

The agricultural pupils should acquire the theoretical insight necessary for dairy management, as also knowledge of the practical details of dairy farming.

Par. 2.

At each college six dairy pupils at the utmost are yearly to be admitted, who shall pay the same sum as the agricultural pupil pays during the first year of his stay at the college. Admission of dairy pupils.

The dairy pupils enjoy the same privileges as the agricultural pupils attending the same college.

Par. 3.

As opportunity offers, "guests," *i.e.*, persons desirous of remaining at a college for a shorter time, may receive theoretical and practical instruction in dairy management similar to that imparted to the agricultural pupils.

"Guests" admitted to the dairy course must find themselves in board and lodging, and pay the same fee as decided for "guests" allowed to attend the agricultural course of instruction.

Par. 4.

The same rules hold good for the admission of dairy pupils as for agricultural pupils. An applicant who has previously rendered practical assistance in dairy farming should be preferred to one who has never taken part in dairy work.

Par. 5.

The pupils and "guests" attending the dairy course must conform to those rules and regulations enjoined the agricultural pupils, and should they fail in this respect will be dismissed from the college, as described in the college rules.

Par. 6.

Course of instruction.

The course of instruction for the dairy pupils commences yearly on November 1st, and should embrace:—

Theory.

A. Theoretical subjects:

- (a.) Dairy management, including the different properties and treatment of milk and various ways of turning it to account; as also knowledge of the different methods of dairy arrangements and the construction and proper use of dairy implements.
- (b.) Chemistry, the course of instruction including the component parts of milk and other dairy products and consequent quality.
- (c.) Phytology, or a knowledge of those plants used as fodder for cattle, their influence on the milk and on the quantity and value of dairy produce.
- (d.) The feeding and improving of cattle and pigs, their care while well, as also when bringing forth young, or suffering from common affections that are not complicated.

Practice

B. Practical subjects:

- (a.) The testing of the milk with those instruments and apparatus usually used.
- (b.) Chemical experiments, so as to obtain proficiency in the chemical examination of milk and dairy products.
During those tests mentioned in Articles (a) and (b) special instruction should be imparted concerning the methods of detecting adulterations that occur in milk and dairy products.
- (c.) Projective drawings of dairies, cow-houses, piggeries, and their mutual connection with each other, and arrangement thereof.
- (d.) Being in attendance in the cow-house when the cows are fed, rubbed down, tended, weighed, milked, or their milk tested as regards quantity, as also keeping watch when calving is anticipated. The feeding and tending of calves is also to be undertaken by the dairy pupils.
- (e.) Serving in the dairy, so as to gain a thorough knowledge of the treatment of milk and cream, churning and butter-making, as also curdling and cheese-making; besides which, the pupils should assist in the cleansing and care of the dairy and its implements.
The duties mentioned in Articles (d) and (e) as performed in the cow-house or dairy are to be undertaken by the pupils in turn as decided by the head of the college.
- (f.) Accounts and book keeping. When on duty as described, the pupils, according to instructions previously received, shall make those notes which are necessary, and keep the dairy accounts.

Par. 7.

Agricultural pupils to receive instruction in dairying.

The agricultural pupils are to be instructed in the theoretical management of a dairy at one and the same time as the dairy pupils, and practical demonstrations in the dairy are to be made for the agricultural pupils who, on certain days fixed by the manager, are to be allowed access to the dairy in turn, so as to acquire a knowledge of the work there, as also concerning dairy annotations and accounts.

Par. 8.

The instruction is to be so arranged that the lectures on dairy management (Par 6. A. (a.)) are to be held, as stated in Par. 7, for both agricultural and dairy pupils at same time. Both classes may also be instructed in the rearing, feeding, care, and tending of cattle, but the lectures on chemistry and the practical experiments therein should be

arranged according to the different needs of each class of pupils, and thus be different for each class.

Par. 9.

At each college a special teacher shall be nominated for the theoretical instruction in dairy management, which teacher, assisted by the "dairy-man" of the college, shall also direct the practical exercises in the dairy. Besides which this teacher must also be prepared to impart instruction in one or some of the theoretical subjects mentioned in Par. 6, and, like the rest of the teachers of the college, be under the obligation, should the board of the college so prescribe, of teaching the dairy pupils without having any claim on extra payment, though the board may give that recompense which occasion may make necessary.

Special teacher
for theory of
dairy manage-
ment.

Par. 10.

Having completely passed their course of instruction, and fulfilled the tests, the dairy pupils are duly examined, and receive "final" certificates as to their knowledge, practical skill, diligence, and conduct.

Par. 11.

So that the agricultural pupil may be entitled to a final certificate from the college, he must have "passed" in the theoretical principles of dairy management, as also in the knowledge of the work and duties occurring in dairy farming.

VI. Copies of the RULES of two existing Co-OPERATIVE DAIRIES in SWEDEN.

RULES FOR DAIRY A.

Par. 1.

This association aims at forming a dairy so as to raise the price of dairy products for everyone who enters the association, either with a large or small quantity of milk, and in consequence becomes a member of the association.

Par. 2.

The head dépôt for the churning and cheesemaking, &c., &c., is at . . . and has branch dépôts, *i.e.*, places where milk is received, at . . . and . . .

The delivery of the milk may take place at that dépôt most convenient for the sender, the milk being weighed and entered in his control book. A member of the association who joins when the branch dépôt nearest his home cannot receive his milk for want of place, must convey it to another dépôt.

Delivery of
milk.

New dépôts are formed where the board deems fit if 200 "kannor"* of milk are sent per day.

Par. 3.

The affairs of the dairy are conducted by a board consisting of five members, of which one leaves the board yearly, during the first four years by lot, afterwards in due order; this rule to hold good from commencement of 1886 and be reckoned for calendar year. place, and the board, from among its members, nominates the chairman, vice-chairman, secretary, and treasurer.

Board manages
affairs of dairy.

Par. 4.

- (a.) The board shall meet at least once a month. The chairman has the option of calling an extra meeting should such be deemed necessary.

* 1 gallon = 1.756 kannor, so about 116 gallons.

(b.) No decisions may be formulated unless three members of the board be present.

(c.) Should a member desire an extra meeting of the board or association, written notice thereof should be given to the chairman, with reason for application, which reason shall be weighed by the chairman.

Par. 5.

Meetings of
members of
association.

Two ordinary meetings of the members of the association, for the consideration of current affairs, shall be held yearly: one in February, when both the audited accounts and the report of the board shall be duly presented and considered, one in October so as to choose the board, auditors and deputies, who, on being called upon by the board, are to examine the accounts and administration of the current year.

Par. 6.

Rights and
duties of
members.

As a basis for both rights and duties of the members the area of the open land they individually possess is divided into lots of ten "tunnland" (1 tunnland = 1.22 acres), any plots remaining over of 5 tunnland or more in area are counted as a lot, plots of less than 5 tunnland are not reckoned; at meetings when there be any division, each lot or share counts as one vote; should there be a tie, the chairman has the casting vote.

Par. 7.

Price of shares.

Every shareholder must pay two crowns* and a half per share as entrance fee, and then sign his name in a special list of members of the association and write the area of his land in the aforesaid record,

Par. 8.

Admission of
fresh members.

Should anyone send in an application to enter the association after it has been formed, the board may acquiesce, should there be room for so doing, the new member to pay the two crowns and a half per share mentioned in previous paragraph, as also an additional fee corresponding to the sum per share paid off of the capital borrowed by the association . . . crowns . . . öre, counting from preceding balance but one.

Par. 9.

Member
leaving the
association
forfeits money
paid.

A member leaving the association has no right to any return of the money he has paid either as entrance fee or off the mortgage, except in those cases when the owner of the soil sells his property, or the tenant whose lease runs out cannot agree with the new holder concerning the transmission of his rights and duties as regards the association, when the board may pay him the sum which in accordance with the stock account of latest balance-sheet falls to his lot, when the difference between the assets and liabilities of the entire capital will be divided among the shares then held.

Par. 10.

Fodder of cows.

The forage of the milch cows must not contain any matter hurtful to the milk, such as mustard, &c., &c., from which the milk may acquire a bad taste and thus give rise to a depreciation of the butter in the market. Should such a case be discovered by the manager of the dairy, he must give notice thereof to the board, who send a caution, and should this warning not be attended to, the supplier of the milk shall be treated as stated in Par. 11.

Cleanliness.

The same rule of course holds good if cleanliness and tidiness are not strictly observed, both when milking and in the care of the milk pails, pans, &c., &c.

Par. 11.

Adulterated
milk.

Should the milk sent in be found adulterated, in one way or another, with the knowledge of the owner, he shall at once be severed from all

* 1 Swedish crown = 1s. 1½d. 1 Swedish öre about half a farthing.

connection with the dairy, but should the board deem fit, after six months he may again become a member. Should adulteration on his part again be discovered, he shall be expelled from the association without any claim or compensation, which will also be the case should milk be sold to other dairies without the consent of the board.

Par. 12.

When the time is come for the storage of ice, notice will be given to the members of the association, who, each in proportion to shares held, must provide ice and material for covering it. Should the work just mentioned not be performed after due notice being received, the board has a right to procure the ice and material for covering at the expense of the person neglecting to fulfil his duty, deducting the cost from the payment for the milk.

Par. 13.

The members of the association are jointly and severally liable for the loans and moneys which they have empowered their board to raise for carrying on the dairy, the responsibility, however, depending on shares held, and therefore a document duly witnessed shall be given in to the board according to that formula decided on.*

Par. 14.

When the dairy is free from debt, the profits that may accrue for the year are to be shared according to the milk supplied by each shareholder.

Par. 15.

The board has a right of deciding the price of future payments for milk after due examination concerning the richness of the milk delivered.

Par. 16.

As regards the time for the delivery of the milk, the shareholders must comply with the regulations issued by the board, as also ensure the milk reaching the dairy without being frozen or otherwise impaired in any way.

Par. 17.

A member of the association has a right to fetch skim milk from the dairy or its branch depôt to the extent of 25 per cent.† of the amount of fresh milk he delivers per day, but may not sell it to anyone but the workmen on his farm, as, also, according to supply and price fixed yearly at the ordinary February meeting, as to hold good for a twelvemonth dating from coming first of March. A member has the right of buying butter from the dairy at a price corresponding to the daily quotation.

Par. 18.

The board shall obtain a manager for the dairy and make a contract concerning conditions, and engage those dairy servants that the manager is not called upon to procure.

* The formula runs as follows:—

"In accordance with the decision passed at a meeting of the Dairy Association on 18, and which decision became a rule on of the same year. I hereby declare myself, together with the other members of the association, as jointly and severally bound to pay the entire liabilities of the association, which, according to balance struck in 18, amounted to crowns ore. Should, however, no deficit arise among the members of the association, no claim can be made on me for more than that part of the debt entailed by my shares representing crowns ore, and in the event of my participation in the association coming to an end, except as stated in present rules, par. 9. I am liable at any time for the payment of that part of the debts of the association that falls to my lot according to the calculation above mentioned, though the accredited value of the buildings and belongings of the association as entered for the current year shall be deducted therefrom."

Signature.

(The sum for which the holder is responsible is yearly certified by the chairman on the back of the shares.)

† The reason why more skim milk is not returned is that the dairy sells a good deal most advantageously.

Par. 19.

Disposal of products.

The products of the dairy are to be disposed of by the board in the most profitable way possible.

Par. 20.

Payment of debts of the association.

When the month has come to an end, and the value of the products of the milk sent in during that time has been ascertained—wear and tear and other expenses deducted—by the fifteenth of the following month at latest all accounts should be settled with persons delivering milk according to prices fixed by the board.

As part payment of the principal and payment of the interest of the debts of the association, half a (Swedish) crown per share shall be put aside each month, which is deducted from payment for the milk. That shareholder who for a month or so delivers no milk, must in the following month refund what was not then paid.

Par. 21.

Railway expenses of board.

Journeys undertaken by the board on behalf of the dairy are to be covered by compensation for second class tickets by rail; should the business take a longer time to settle than two days, two crowns a day to be allowed for each 24 hours exceeding the above-mentioned two days.

Par. 22.

Alteration of rules.

To annul a decision once duly carried and formulated concerning an addition or alteration of rules in force, the proposition must be laid before two meetings of the association, one at least being an ordinary one, and be approved of and carried by two-thirds of the votes of the entire association.

Par. 23.

Property divided on dissolution.

Should the association be dissolved, the common property of the association, after being realised, shall be divided according to shares held.

Par. 24.

Disputes among share-holders.

Should disputes arise among the shareholders of the Dairy Association and it be found impossible to come to an amicable agreement, the matter must be laid before five arbiters, of whom each party chooses two, and these then call in a fifth, against whose legal decision no appeal shall be made.

RULES of the ASSOCIATION B. formed for BUILDING a DAIRY and MILL.

Par. 1.

Object of association.

This association is formed with intention of building and carrying on a dairy at B., so as to make the most advantageous use of the supply of milk in the neighbourhood, as also to erect a mill chiefly intended for making meal.

Par. 2.

Building expenses.

The building expenses, in which regular instalments for payments of loans are included, as also the cost of keeping in repair the buildings, and possible losses that may arise before a reserve fund can be formed, shall be calculated as incurred by each member according to the full number of "tunnland" of reclaimable land he possesses; and profits that may accrue on being divided among the members are to be allotted in same proportion.

Par. 3.

Before any building be commenced, at those dates fixed at a meeting of the association, the members shall make a cash payment of one crown per "tunnland" (1s. 3d. per acre). The sum that may be required for the completion of the buildings shall be borrowed, the members being jointly and severally liable for the repayment of these loans. At the periods already alluded to in this paragraph, the members shall give notes of hand for the amount that corresponds to the value of the share each holds in this association.

Par. 4.

Each member should send all the milk he has to dispose of to the dairy, but in the event of his finding it more profitable to sell it in another quarter, he shall indemnify the association by the payment of two crowns and forty "öre" per year (3s. per acre) for every "tunnland" for which he holds shares in the association.

Par. 5.

A member failing at times stated to fulfil his obligations to the association, not only those now fixed, but others that may possibly be decided on, shall lose not only what he has already paid in, but also be severed from all connexion with the association.

Should a member be proved to have sent to the dairy milk that was mixed with water, skim milk, or adulterated in any other way so that a higher price than the real value of the milk was obtained, he shall make good all losses arising therefrom, and, moreover, pay a fine of twenty crowns for each cow.

Milk obtained from diseased cows, from cows that have calved until three days after bringing forth calf, tainted milk, or milk kept in dirty vessels, or having a peculiar taste in consequence of fodder used, may not be delivered to the dairy. Should such an offence be repeated, the member must pay a fine of five crowns for every cow, and, moreover, make good the loss the dairy has sustained.

Par. 6.

When land is sold or divided, the shares in the dairy may not be made over to anyone but the owner entering into possession, the same rule holding good for a tenant who is a shareholder; but if the owner or tenant entering into possession should not wish to have the shares in the association held by the late owner or tenant, this share shall be bought up by the association according to the value it be considered to possess.

Par. 7.

When the sums borrowed for the completion of works be paid, at least 25 per cent. of the profits shall be set aside as a reserve fund.

Par. 8.

Two ordinary general meetings shall be held each year, one in November, when the board and auditors are to be chosen, the other in March for passing resolutions concerning the audit of the accounts and management of the association. An extraordinary general meeting shall be summoned so soon as the board, or at least three shareholders, may deem it necessary after application to that effect.

Par. 9.

The Board that is chosen and which is nominated for a year counting from January 1st shall consist of a chairman, who at same time shall be manager of the association and its accounts, two directors, and two deputies, who are chosen for a period of two years. After the expiration of the first year one director shall retire after lots being drawn as to which shall do so, afterwards retirement will be by rotation. When important questions are to be decided, a meeting of the members must be summoned.

Par. 10.

Board manages all business. The Board, acting on behalf of the association, shall erect those buildings that are necessary, but estimates shall be laid before a shareholders' meeting for approbation, the Board having the management and performance of all the business of the association.

Par. 11.

Seven days' notice for ordinary meeting, Seven days' notice at the least shall be given in summoning an ordinary general meeting, and for an extraordinary one, at least four days, and shall, moreover, contain a statement as to what matter will be brought under consideration.

Par. 12.

Books to be audited. The books are to be kept per calendar year, and are to be audited yearly in February at latest, but any shareholder may at any time examine them.

Par. 13.

Chairman. The person who is chosen chairman of the Board shall preside at the meetings of the association and write the minutes concerning them. Should he be prevented from doing so, that person shall preside whom the board has chosen as vice-chairman,

Par. 14.

Alteration in rules of the association. To change the rules of this association the proposed alteration must be presented in writing and be discussed at an ordinary general meeting and must then be passed at a subsequent meeting before becoming valid.

Par. 15.

Dissolution of association. When voting concerning a resolution regarding changes in these rules, or the breaking up of the association and sale of its effects, a majority of two-thirds of votes given must occur so as to settle the question. Other questions are decided by a simple majority.

Par. 16.

Disputes. Should any dispute arise concerning the interpretation of these rules, or between a shareholder and the association, the dispute must not be made a subject of litigation, but shall be submitted to the investigation of a committee of three persons that have no interest in the association, the association choosing one, the discontented shareholder a second, and these two that are chosen in their turn choosing a third. This committee shall settle the difficulty, the disputing parties being bound to abide by their decision.

GERMANY.

In 1882, according to a report of the German Dairy Association prepared for the Prussian Ministry of Agriculture,* there were in Germany (excluding Bavaria) about 180 large dairies, co-operative and private: including 46 in West Prussia, 39 in Schleswig Holstein, 20 in Hanover, and 17 in East Prussia. Exact details as to the constitution of these dairies were available in 92 cases only, and of these it would appear that 40 were organised on co-operative principles, the milk being furnished by the members; 26 were run by companies (buying-up dairies, purchasing the milk from farmers in the neighbourhood), while the remainder consisted of private undertakings. Dairies in 1882.

Ten years later, in 1892, the number of large dairies, milk factories, and cheeseries in the German Empire (excluding Bavaria) is given in the *Meierei Adressbuch* for 1891-92, as 2,673, of which number about 1,020 are stated to be worked by co-operative associations of farmers. Upwards of 2,000 of these establishments are situated in Prussia. Dairies in 1892.

The dairies of North Germany are, with the exception of those in West Prussia, chiefly engaged in the production of butter, though many of them also manufacture small quantities of skim milk cheeses. In South Germany, on the other hand, attention is largely devoted to cheese-making, and in many establishments butter is practically regarded as a secondary product.

Schleswig Holstein, in North Germany, is the province where the industry has found its largest development. Here, according to the statistics of the Provincial Dairy Association for 1891, there exist 516 dairies: comprising 372 co-operative establishments, and 126 buying-up dairies. Butter is the sole product of 372 of these dairies; the others manufacture both butter and cheese, the latter being chiefly what is known as "magerkäse" made from skim milk. Industry most developed in Schleswig-Holstein.

The 500 odd dairies in the province are supplied with milk from 138,761 cows: owned by 14,394 members of co-operative associations, and 3,685 non-co-operating farmers, these latter selling their milk to the buying-up dairies.

As regards the co-operative establishments of Schleswig Holstein, the dairy buildings, in most cases, have been erected and fitted up by the societies. The number of members to a dairy varies from 3 to 226. The statistics show, however, an average of 29 shareholders, but many dairies have over 100

* Bericht des milchwirtschaftlichen Vereines, &c. Von Prof. Dr. Wilhelm Fleischmann. 1882.

members each. The business operations are, as a rule, directed by a managing committee chosen from among the members.

Co-operative
dairies in
Hanover.

The principle of co-operation is also spreading in Hanover. In this province it is estimated there are about 140 dairies worked on the co-operative system, with share capital ranging from 750*l.* to 3,500*l.* each, the majority standing at something between 1,500*l.* and 2,000*l.*

In a report on the Hanoverian dairies published in 1891 it is stated that the quantity of milk dealt with in the individual co-operative organisations of the province varies from a daily average of 350 gallons to one of 4,500 gallons. Many of these establishments manufacture butter only, and the separated milk is returned to the members for feeding calves and swine. In some instances the skim milk is made up into cheeses.

System of Dairying.

Centrifugal
separators.

In nearly all the large dairies, co-operative and private, in Germany, the milk is creamed by centrifugal separators. The "Laval" is the most popular form of separator, though numerous other machines, constructed on the same principle, are in use. In a few establishments the milk is creamed by the "Swartz" processes (ice and cold water).

Of the 500 dairies in Schleswig Holstein, only 65 pursue the old process of creaming in pans. The other establishments have adopted the centrifugal system and employ 742 Danish and Swedish separators, and 173 separating machines of other make.

Steam is the usual motive power in German dairies. Gas and oil motors, however, are used by some of the smaller organisations, and in a few establishments the machinery is driven by water power.

Souring of
cream.

The cream is nearly always allowed to turn before being churned; only in a very few districts is the cream churned sweet. As regards the question of the degree of sourness of the cream, Dr. Schrodtt, late director of the Kiel Dairy Station, remarks as follows:—"The butter was manufactured from slightly soured cream. The cream obtained from the separator in the morning was immediately cooled to a temperature of 46°—50° F., and allowed to remain in the cellar until the evening of the same day, when the process of souring was begun. This, in the cool season of the year, was carried out by warming the cream to 59°—68° F., and keeping it at that temperature for about 36 hours. In the summer season the cream was not warmed, but attention was rather directed to keeping it cooler for a longer period, according to the temperature of the atmosphere. After about 36 hours the cream, under the influence of a suitable temperature, had attained the desired degree of sourness, and was thus ready for churning in about 48 hours after leaving the

separator. This extension of the usual duration of the souring process was made with the object of overcoming the more or less frothy condition of the cream from the centrifugal separator in order to obtain a firmer butter."

The "Holstein" churn is found in nearly all the large dairies. "Holstein" churn used, It is a wooden, upright churn with a large opening, the cover being fitted for the reception of a thermometer. The interior surface of the churn is furnished with from three to five flange-like projections, and the cream is put in motion by a simple wooden frame which revolves on an upright shaft. Among other advantages possessed by the Holstein, it is claimed that its construction renders it capable of being easily cleaned and dried, and that it maintains the butter at a uniform temperature during the process of churning. "End over end" churns are also used in some dairies.

Churning is usually completed in from 30 to 45 minutes. The temperature at which the cream is churned is about 52° F. in summer, while in winter the temperature of the cream ranges some few degrees higher.

It is the practice in the large dairies not to touch the butter with the hands. After removing the product from the churn, it is passed through a butter-worker: the American butter-worker with a rotating table being largely used. Butter not touched with the hands.

The butter is generally first passed through the "worker" at light pressure; it is then left for four or five hours in a cool place (in summer in cold water tanks, refrigerators, &c.) to allow it to attain to a certain stage of consolidation, when it is again passed through the "worker."

If the butter is to be salted, the salt is usually added in the form of layers after the first operation of working, so that when the butter is passed through the "worker" a second time the salt is well distributed through the mass. Salting.

Butter which is to be kept for some time is subjected to greater pressure in the "worker" than that put on the product intended for immediate consumption.

In many dairies the butter is washed, more or less, when it is passed through the worker for the first time. It is not, however, the practice to wash butter which has been made from properly soured cream and salted with four per cent. of salt. On the other hand, a well-known German dairy expert has recommended that the product should be washed if the cream from which it is prepared is very sour, and if no salt, or only one per cent. or two per cent. of salt, is used. Washing of butter.

Artificial colouring is resorted to in nearly all the dairies.

In a large number of establishments the milk is still paid for according to measure, but this system has in many instances been superseded by that of payment by weight; the latter course being considered a simpler and more exact method for all Payment for milk.

practical purposes. Over 100 dairies in Schleswig Holstein regulate the price paid for the milk by the selling price of butter.

Quality
receiving
more attention.

But the question of quality is now receiving more attention in German dairies, and in fixing the price of the milk the larger organisations are beginning to take the fat contents into account, the latter being determined, as a rule, by the lactocrit, though Soxhlet's apparatus and the lactobutyrometer are likewise used for the purpose.

From the reports of several co-operative dairies, published in 1891, it would appear that the members receive, on an average, from 4*d.* to 5*d.* per gallon for their milk, and the separated milk is usually returned to them for feeding young stock.

The quantity of milk required to produce 1 lb. of butter ranges in the reports from 25 to 28 lbs. The average price obtained by the North German dairies for their butter last year was about 1*s.* per lb., but some of the superior makes fetched as much as 1*s.* 3*d.* and 1*s.* 4*d.* per lb.

Most of the co-operative dairies fetch the milk from the members' farms once or twice a day in carts owned by the association. The separated milk is returned to the members by the same means.

Combination
in selling
produce

In some of the provinces the co-operative dairies have combined for the purpose of disposing of their products under the most profitable conditions, and dispensing, as far as possible, with the intervention of middlemen and brokers.

One of the most successful of these associations is that known as the East Holstein Associated Dairies. Until the end of 1891 this body had been in the habit of consigning the butter to brokers in the Hamburg market. With the ever-increasing competition, however, it was found that the brokers' charges were too high to permit of a fair profit to the producers, and in January 1892 the association commenced selling their products through an agent appointed for the purpose, thus dispensing entirely with the brokers.

In spite of some opposition this step has met with success, and in a report read at the meeting of the Schleswig Holstein Dairy Society in March 1892 it was stated that in the first quarter of the year the butter of the East Holstein Associated Dairies had been sold at an average net price of 5*l.* 4*s.* 11*d.* per cwt., the top selling price having been 5*l.* 8*s.* 6*d.* per cwt., while the highest quotation of the Hamburg butter merchants for the same period was 5*l.* 4*s.* 3*d.* per cwt.

Factory butter.

At the same meeting reference was made to the fact that the sale of Holstein butter from co-operative dairies was seriously prejudiced by the large quantities of factory butter placed on the market. One speaker stated that in Hamburg considerable consignments of the finest Schleswig Holstein butter were converted into so-called factory butter, this product being in reality a mixture of the best butter with inferior

Finnish and Galician products, and upwards of 20 per cent. of water. To drive out the factory butter the dairies are recommended to send larger supplies of their produce to market, and to associate for the purpose of selling their butter through reliable agents.

Whole milk cheese is not produced in any considerable quantity in the dairies of North Germany, except in the province of West Prussia, where the manufacture of imitation Swiss and French cheeses is carried out on a large scale. A few establishments in East Prussia and some other provinces produce whole milk cheese in the form of Gouda, Edam, and Tilsit cheeses. Whole milk cheese.

The separated milk is largely utilised for the manufacture of skim-milk cheeses, the most popular form being a square cheese, known as Backsteinkäse. Large quantities of small curd cheeses, of a few ounces in weight, made from a mixture of separated milk and butter-milk, are sold as Bierkäse, Quargkäse, Handkäse, &c. at prices ranging from 2s. to 6s. 6d. a hundred. Skim-milk cheese.

The co-operative dairies generally employ a manager whose salary varies from 50*l.* or 60*l.* a year in the smaller organisations, to upwards of 400*l.* in a few of the larger establishments. In many instances the manager receives a small percentage on the profits, and is provided with accommodation rent free.

In the spring of 1889 the German Government promulgated a law, which came into force in October of the same year, providing for the registration of co-operative societies, and empowering such registered societies to hold and transfer property, as well as giving them a *locus standi* in courts of law. Registration of dairies.

All societies, whatever be their system of liability, may be registered under certain conditions; but the law was introduced mainly with the idea of stimulating co-operation by limiting the liability of the individual members, and it was hoped that this would be a great incentive to farmers to combine.

Agriculturists, however, appear to find little attraction in limited liability, for out of the many hundreds of co-operative dairies in Germany very few are constituted on that principle. Unlimited liability has remained the most popular form of combination, and it is only where there is an exceptional mixture of large and small dairy farmers, when, say, an owner of 50 to 100 cows is associated with persons holding from three to five cows, that limited liability has been adopted.

One of the disadvantages of the rapid growth of the dairy industry in North Germany has been the creation of a class of defectively-trained dairy managers, who are willing to accept positions at ridiculously small salaries. Herr Ronneberg, a dairy expert attached to the Kiel Experimental Station, in his Report of 1890* to the Schleswig Holstein Association, drew attention Defectively trained managers.

* Jahresbericht der milchwirthschaftlichen Versuchstation u. Lehranstalt, Kiel 1889-90.

to the fact that some co-operative dairies, dealing with the milk of 200 cows, employed a manager at a salary of only 40*l.* a year. Such dairies, he remarked, required at least three persons to do the work properly, and as the managers could not afford to pay for assistance, they often took pupils.

Managers, it was further observed, who accept situations of this nature are generally inefficient, and their pupils are consequently improperly trained.

During the last two years, however, measures have been taken to remedy this evil. Associations of dairy managers and assistants have been formed in several provinces to regulate the training of apprentices, and the granting of certificates of proficiency in dairying.

Rules for
training pupils
in dairies.

The "Association of Dairy Officials in Schleswig Holstein" at a general meeting in October, 1891, agreed to the following rules for the training of pupils:—

1. Members of the association who receive pupils agree to the following rules:—
2. Persons who join the association, and desire to be trained in dairy work, shall be directed to attend a dairy where the requisite instruction can be obtained.
3. The pupil shall be given the opportunity of attending
 - (a.) A dairy producing butter only;
 - (b.) A dairy producing butter and skim-milk cheeses, and keeping swine;
 - (c.) A dairy chiefly producing whole-milk cheeses.
4. The period of instruction shall last for at least one year; but for (b.) it shall be two years, although the pupil may offer himself for examination within the two years, with his teacher's approval. The necessary attendance at (c.) depends upon the knowledge already acquired by the pupil.
5. The dairies selected to provide instruction agree to the conditions of par. 4. They engage to provide the pupils with all the necessary help and facilities to learn their trade; including practical and theoretical instruction, and especially book-keeping. They are also expected to influence their moral conduct.
6. At the end of their training the pupils must present themselves for examination, and only those who pass successfully can expect to receive a situation through the association.

The examination consists of the following subjects:—

A. PRACTICAL MANUFACTURE OF BUTTER.

- (a.) Management of the centrifugal separator, boiler engine, and machinery of the dairy.
- (b.) Creaming by centrifugal and other methods.
- (c.) Manipulation and churning of cream.
- (d.) Preparation of butter.

B. THE MANUFACTURE OF SKIM-MILK AND WHOLE-MILK CHEESES.

Candidates who have received instruction in a dairy producing butter only are not examined in B. But they are recommended to take up both cheese and butter-making. There is moreover a theoretical examination relating to dairy machinery, cheese and butter-making, and swine and calf rearing.

7. Prizes in the form of scholarships may be offered to enable candidates to attend a dairy school for further instructions.
8. Examinations will also be held for assistants who have been practically engaged for some time, and who desire to qualify as managers. These examinations will likewise extend to the theory and practice of dairying, and candidates will have to show a higher degree of proficiency than in the pupils' examination.
9. The examinations shall be conducted by a committee of three members, consisting, when possible, of a dairy manager, a teacher or expert in dairying, and a dairy proprietor.

Of the 1,020 co-operative dairies in Germany, over 500, as has been already shown, are situated in the two Prussian provinces of Schleswig Holstein and Hanover. The Report of the German Co-operative Agricultural Associations for 1890* credits the remaining provinces of Prussia with some 320 similar organisations, thus leaving only about 200 to be accounted for by the other divisions of the Empire. Outside Prussia, the co-operative system of dairying has been adopted with more or less success in the Kingdom of Wurtemberg, and the Grand Duchies of Oldenburg and Mecklenburg, where there are respectively 33, 49, and 61 establishments worked on this principle.

Co-operative
dairies in
Germany.

A copy of the "articles of association" of a co-operative dairy, recently established in Schleswig Holstein, has been furnished to the Board of Agriculture by the Director of the Kiel Experimental Station, and the following translation thereof will help to furnish some idea of the lines upon which these societies are constituted in Germany:—

Articles of
association.

ARTICLES OF ASSOCIATION OF A CO-OPERATIVE DAIRY.

Par. 1.

The dairy farmers of the districts of agree to form a co-operative association to be named the co-operative Dairy.

Par. 2.

The association shall be centred at and is established for an unlimited period.

Par. 3.

The object of the association is to obtain the greatest possible remuneration from the milk of the cows owned by the members. To this end the milk shall be creamed at the dairy by means of "Separators," and the butter obtained shall be sold in the most profitable market. The "separated" and "butter" milk shall be returned to the members.

Object of
association.

Par. 4.

Every farmer who signs these articles before will be admitted as a member of the association. The admission of other members will be decided upon by the manager and the committee. Members admitted before shall pay no entrance fee, but persons joining the association after that date shall pay, in addition to an entrance fee of 3s. for each cow they possess, a sum fixed by the managing committee

Admission of
members.

* Jahresbericht der Anwaltschaft des allgemeinen Verbandes der Landw. Genossenschaften des Deutschen Reiches für 1890.

which shall be calculated upon the amount paid out of the capital and the payments into the reserve fund to date. This additional payment, however, must not exceed fifty shillings per cow.

Par. 5.

Working of
association.

The general working of the association shall be regulated by:—
(a.) The general meeting of the shareholders. (b.) The managing committee. (c.) The inspection committee.

(a.) Shall comprise all the members of the Association.

[Members owning one to four cows being entitled to one vote.

" " four to eight " " " two votes.

" " eight or more " " " three "]

(b.) Shall consist of three members } elected at the general

(c.) " " six " } meeting.

These posts shall be honorary, and members holding them shall receive no emolument, but actual expenses shall be reimbursed. One of the members of the managing committee and two of the members of the inspection committee shall retire in rotation each year, but they shall be eligible for re-election.

Par. 6.

General
meeting.

The general meeting shall be summoned once a year by the managing committee. The chairman shall also have power to call an extraordinary general meeting when he considers it necessary; and he shall be bound to call one at the demand of not less than one-third of the members.

The powers of the general meeting shall extend to:

(a.) The election of the managing and inspection committees, and of the auditors.

(b.) Auditing the yearly accounts, and distributing the dividends.

(c.) Expulsion of members.

(d.) Investigation of complaints against the managing committee.

(e.) Decision by vote upon any subject brought forward by the managing committee or by members.

(f.) Alterations in the Articles of Association.

(g.) Liquidation of the association.

At the annual general meeting the managing committee shall furnish a report and balance sheet of the business. Two auditors shall then be elected from among the members, whose duty shall be to examine and audit the books of the association.

Par. 7.

Managing
committee.

The managing committee shall select one of its members to be its president, and another to be its secretary. It shall represent the association in all business matters and in courts of law. It shall have power—

To purchase and sell land;

To represent the association in the Land Registry;

To contract loans;

To advertise for, and raise, capital;

To purchase machinery and fittings;

To make milk contracts, and pay wages;

To conduct the business generally in all its branches, and to fulfil all the arrangements and conditions necessary thereto.

For the expenditure of sums above 15*l.*, for the raising of loans, increase of capital, purchase of machinery, and similar matters, the approval of the committee of inspection shall be necessary.

The managing committee shall also be expected to see that the books of the association are properly kept, to take stock at the end of each year, to draw up a balance sheet, and publish it in the . . . , and to furnish a report and statement of accounts to the annual general meeting.

The managing committee shall summon the annual general meeting, giving each member of the association at least twenty-four hours' notice thereof. It shall also arrange for its own meetings, and request the committee of inspection to be present whenever it is considered desirable.

The managing committee may appoint one of its members as treasurer and chief book-keeper; or it may, with the consent of the inspection committee, employ a qualified assistant, to be paid from the funds of the association.

The president shall act as chairman at all the meetings, and the secretary shall prepare the minutes.

Par. 8.

The committee of inspection shall control the affairs of the Committee of association, inspect the books and accounts, report at the next general inspection meeting upon any irregularity in the general management of the association, and call an extraordinary general meeting for that purpose should it be considered necessary.

Par. 9.

The money required to purchase the land upon which to build the dairy, and to erect and fit up the necessary buildings and machinery, shall be raised by loans, for which, as well as for all the liabilities of the association, each individual member pledges one-third of his estate as security. But the liability of the members to the association shall be limited in proportion to the quantity of milk delivered by them in the preceding (business) year. During the first year of the association, however, the liability shall be according to the number of cows each member owns. Liability of members.

Par. 10.

For every gallon of milk delivered, $\frac{1}{4}$ d. shall be paid to the treasurer, and the amount thus collected shall be devoted to the payment of the interest on, and the extinction of, loans; to the formation of a reserve fund; and to meet expenses. Of the sum remaining after paying the working expenses and the interest due on loans, three-quarters shall be employed as capital, and one-quarter placed to the reserve fund. The reserve fund shall be raised to one-tenth of the capital sum, and shall be deposited at interest in the . . . Bank. Subscription of members.

Par. 11.

Resolutions proposed at a general meeting shall be carried, as a rule, by a simple majority in accordance with par. 5. To form a quorum there shall be such a number of members present as shall represent more than half the total number of votes in the association. If a sufficient number of members is not present the meeting shall be adjourned for a fortnight. Every member shall vote in person, if possible; if not, he may vote by a duly qualified proxy. Widows, minors, and members absent from the district, may be represented in the association by a duly legalised representative who is known to the committee. Voting.

Par. 12.

A member shall have the right to leave the association at the end of the business year, provided he has given three months' notice to the managing committee, who must certify that such notice has been given. Withdrawal of members.

The retiring member shall, on resignation, pay in cash his share of the liabilities of the association (*see* par. 9). He shall then become exempt from them, but shall relinquish all rights and claims on the association.

Par. 13.

Expulsion of
members.

A member shall be liable to expulsion :—

- (a.) For delivery of wilfully adulterated milk (*see* par. 17);
- (b.) For continued non-observance of the rules laid down by the managing committee respecting delivery of milk, cleansing of milkcans, feeding of cows, &c.;
- (c.) If he is known to have been convicted of any offence entailing loss of civil rights;
- (d.) For constantly acting as if he had not the best interests of the association at heart, but was trying to injure it and bring about its dissolution.

The expulsion shall be decided at the general meeting in accordance with the provisions of par. 22.

Par. 14.

Removal or
stoppage of
milk supply.

If a member leaves, or gives up, his farm or land, and thus ceases to keep cows, his duties and rights as regards the society shall be extinguished from the day when he ceases to supply milk; and he shall have no claim whatever on the capital or reserve fund. If the member takes another farm in the same district, or in another district where members of the association reside, he shall still remain a member.

When a change of tenancy occurs, the incoming tenant may enter into all the rights and privileges of his predecessor, but the latter shall then cease to be a member.

Par. 15.

All milk to be
delivered to
dairy.

Every member shall be expected to deliver to the dairy all the milk produced by his cows, with the exception of—

- (a.) Milk required for domestic purposes, or milk given away in charity; but the mid-day milk should be mostly employed for these purposes, especially in summer. Milk necessary for the manufacture of household butter is also excepted, but the sale of such butter is strictly prohibited;
- (b.) Milk from cows which have calved during the previous week;
- (c.) Milk from sick cows (including cows with udder affections).

Members shall not be allowed to use such fodder or feeding stuffs as would be likely to deteriorate the dairy products. If this rule be disregarded the supply of the offending member shall be rejected until the milk shall have regained its normal quality.

It shall be absolutely prohibited to deliver the milk of sheep or of goats, either alone or mixed with cows' milk.

Par. 16.

Milk collected
by society's
vans.

The milk shall be collected by the society's vans once every day, at 6 a.m. in summer, and 7 a.m. in winter. The separated milk shall be returned by the same means, but only once a day. If, in very hot weather, it should be necessary to make two deliveries daily, the executive committee shall make suitable arrangements. The hour of collection shall be fixed by the council of the association, and every member must have his supply of milk ready for the carman at the appointed time. If the milk is not ready, the carman must not wait, and the member shall himself deliver the milk at the creamery, free of charge and in good condition. The usual round taken by the carman shall not be altered.

Par. 17.

Examination
of milk as to
purity.

The milk delivered at the creamery shall be regularly examined as regards purity and contents of fat.

A member wilfully delivering milk adulterated by the addition of water or the extraction of cream, or in any other way, and knowing the same to be adulterated, shall be expelled from the society by a resolution made at an ordinary or extraordinary meeting of the members; and he shall moreover pay a fine of 3s. for every quart of adulterated milk delivered.

An expelled member shall forfeit all claim on the society, but his liabilities as regards its debts and engagements shall remain in force, *see* par. 12. If the falsification of the milk takes place without the cognisance and against the wish of the member, he shall be held responsible for the damage caused to the society, the sum being assessed at a general meeting.

Par. 18.

The manipulation of the milk in the dairy shall be as follows: Manipulation the milk shall be creamed by means of separators, and the cream worked up into the finest butter, which shall be sold at the highest possible dairy advantage. The separated and butter milk shall be returned to the members according to the proportion of full milk delivered.

The selling prices of milk and milk products sold to consumers direct from the creamery shall be fixed by the executive committee.

Par. 19.

At the end of every month, each member shall be paid in cash for Payment for the milk delivered during that month, the price being regulated by the milk fat contents of the milk supplied, and the receipts of the society during the month. From the amount will be deducted the sums mentioned in par. 10 to cover unforeseen expenses.

Par. 20.

A practical dairyman selected by the executive committee, with the Employment approval of the committee of inspection, shall be engaged to manage the of manager. dairy and its work. The dairy manager shall take charge of all the practical work of the society, especially the management of the engine-room, receiving and examining the milk, returning the separated and butter milk, handling the cream and butter, churning, keeping the accounts, &c. He shall in all cases be responsible to the executive committee by whom he is appointed.

Par. 21.

The churns or cans required for the carriage of the milk will be Milk churns. bought by the society, and afterwards sold to the individual members at cost price.

Par. 22.

The general meeting shall have power to alter the articles of Liquidation association, or to liquidate the society if a motion to that effect be society. supported by at least one-third of the total number of votes in the association.

To carry such a resolution the members present must represent over three-quarters of the total number of votes of the society, and the majority must comprise two-thirds of those present. If the required number be not at the meeting, another must be called within a fortnight.

Par. 23.

Disputes regarding the interpretation of these articles shall be decided at the general meeting. There shall be no appeal to the Courts of Law.

Education.

As regards the extent to which the dairy industry in Germany State aid to dairy industry. is furthered by Government aid, the Board of Agriculture have received through the Foreign Office a copy of a *note verbale*, transmitted by the German Government to Sir E. Malet, H.M. Minister at Berlin, wherein it is stated that as a rule the dairy industry is furthered by the Prussian Agricultural

Administration to the extent of there being experimental dairy stations in Kiel, Königsberg in Prussia, and Proskau, supported by the above Administration, and that there exist a number of dairy institutions receiving Provincial and State support for the education of dairymen and dairymaids.

Dairy schools
in Prussia.

In a Report on Agricultural Statistics in Prussia for the year 1890, accompanying the *note verbale* referred to, the following particulars are given respecting the dairy institutes and schools in Prussia:—

DAIRY SCHOOLS IN PRUSSIA.

a.—Dairy Schools for Males.

Dairy schools
for Males.

1.—*Institute attached to the Dairy Experimental Station at Kiel in Schleswig.*—This establishment is under the inspection of the Schleswig Holstein Agricultural Association. The full course is of three months' duration, and costs 50s.; there is also a 14 day course in theory for dairy farmers and others; the fee is 20s. The station received in 1890-91 a grant of 300l. from the State, and a similar sum from the Province.

2.—*Dairy Experimental Station at Kleinhof Tapiau, Königsberg.*—The station at Tapiau is a branch of the Agricultural Institute attached to Königsberg University. Provision is made for students desiring advanced theoretical instruction in dairying, and practice in carrying out the chemical operations connected with the examination and manipulation of milk and milk products. Candidates for admission must be fully acquainted with the practical operations of a dairy. The course is not limited to any particular period; students receive one month's instruction for 25s., or, with use of laboratory, for 40s. In 1890-91 the station received subsidies amounting in all to 370l., including 175l. from the State, 75l. from the Province, and 120l. from the three central agricultural societies of East and West Prussia.

3.—*Dairy School at Kleinhof Tapiau, Königsberg.*—This school owes its foundation to the East Prussian Dairy Association. There are two courses in the year, each of six months' duration. The fee for a course is 7l. 10s., including board and lodging. Candidates must be 20 years of age, and have had two years' practical experience in a dairy.

4.—*Dairy Institute at Prenzlau, Potsdam.*—The Prenzlau Institute was erected by the Provincial Agricultural Society of Brandenburg and Niederlausitz. The course is of six months' duration. The fee is 10l., including board and lodging. In 1890-91 the school received 400l. from the State, and 150l. from the Province. Attached to this school is a co-operative dairy.

5.—*Dairy School at Nortrup, Osnabrück.*—The school forms part of the Nortrup Co-operative Dairy. The course lasts from 6 to 12 months. The fee is 50s., exclusive of board and lodging. Pupils must be 16 years of age.

b.—Dairy Schools for Females.

Dairy schools
for females.

6.—*Dairy School for Girls at Warnikam, Königsberg.*—The school is under the direction of the East Prussian Dairy Association. The fee for the one year's course is 50s. Candidates must be 18 years of age, and have received a good elementary education. In 1890-91 the school received 60l. from the State.

7.—*Dairy School for Girls at Carmitten, Königsberg.*—This school is also managed by the East Prussian Dairy Association. The fees and regulations are similar to those at Warnikam. The school received 60l. from the Provincial funds in 1890-91.

8.—*West Prussian Dairy School for Girls at Freystadt.*—This school is under the direction of the West Prussian Central Agricultural Society. Instruction and lodging is provided free. The course is of one year's duration. Candidates must be 16 years of age, and of sound constitution. Since its foundation in 1879 this school has trained 52 dairymaids. In 1890-91 the grant from the State was 45*l.*, and 15*l.* from the West Prussian Agricultural Society.

9.—*Dairy and Housekeeping School at Banke, Luneberg.*—The school is supported and managed by the Agricultural Society of Luneberg. The course is of nine months' duration, and the fee, including lodging, board, washing, and instruction, is 15*l.* Candidates must be 16 years of age, and already have received some practical training in dairy work. The grant from the society in 1890-91 was 62*l.* 10*s.*

10.—*Dairy and Housekeeping School at Paese, Luneberg.*—This school is supported by the Provincial Agricultural Society. The course is generally of one year's duration, for which the fee is 15*l.*, including board and lodging. The regulations are similar to those in force at Banke. Seven pupils attended in 1890. In 1890-91 the school received 12*l.* 10*s.* from the society.

11.—*Dairy School at Grothe, Osnabrück.*—The school was founded by the Osnabrück Agricultural Society. There are two courses, one of three months, and one of six months, the fees being 7*l.* 10*s.* and 12*l.* 10*s.* respectively, including board and lodging. Candidates must be 16 years of age, and have a practical knowledge of milking. The grant from the society in 1890-91 amounted to 5*l.* 12*s.* 6*d.*

c.—Mixed Schools.

12.—*Dairy School at Casckow, Stettin.*—Founded by the Pomeranian Mixed schools. Economical Society and the Baltic Central Society for the Advancement of Agriculture. There are two courses of instruction yearly, each of six months' duration. No fee is charged for instruction, but 7*l.* is charged for board and lodging. Candidates must be 16 years of age. This school has trained 340 dairymen and dairymaids since 1880. The grant from the State in 1890-91 amounted to 225*l.*; the Provincial grant was 150*l.*; and the societies allotted 122*l.* 10*s.* to the school.

13.—*Dairy School at Gut Insel, Münster.*—This school is under the direction of the Münster Co-operative Dairy. The course is of six months' duration, and the fee is 50*s.* Board and lodging is provided for 30*s.* to 45*s.* a month. Candidates must be 17 years of age.

14.—*Dairy Course at the Dairy Institute of Proskau.*—This institute belongs to the Central Agricultural Society of Silesia, and serves as a dairy experiment station. There are two courses of instruction, one intended for persons who already possess a knowledge of dairying, but desire training in special subjects, &c.; the other is an ordinary course of dairy instruction. The advanced course lasts from 8 to 11 days, the dairy school course is of 6 to 8 weeks' duration. The fee is 10*s.* for both. Board and lodging is provided for 1*s.* 6*d.* a day. There are three school courses in the year, one for males in January and February, and two for females in May and June, and October and November. The institute received grants amounting to 455*l.* in 1890-91, including 200*l.* from the State, 250*l.* from the Province, and 5*l.* from the Breslau Agricultural Society.

From the above it appears that there are 14 establishments in Prussia providing instruction in dairying. The grants from the State to these institutions amounted in 1890-91 to about 1,405*l.*, while the provincial authorities and local societies provided 1,328*l.*, making a total of 2,733*l.* subscribed in aid of dairy education.

Recommendation of Special Commission on Dairy Schools.

It appears, however, from information supplied to the Board of Agriculture by the Director of the Kiel Institute, that the whole question of dairy instruction has recently been under consideration in Germany, and at a general meeting of the German Dairy Farmers' Association at Flensburg in February 1891, the following recommendations of a Special Commission on Dairy Schools were approved and adopted:—

Recommendations of the Special Commission on Dairy Schools.

A. DAIRY SCHOOLS FOR MALE ASSISTANTS IN DAIRIES.

Management.

Dairy schools for male assistants.

Every school must be placed under the inspection of a proper committee, whose duty it shall be to supervise the management and to be present at the examinations.

Admission of Students.

Candidates must be at least 18 years of age, healthy and strong, and of good character. They must have passed through an elementary school, and have had practical instruction in the elements of dairying, in some well-conducted dairy.

Such elementary instruction in dairy practice should extend over a period of two years at least, and it is recommended that the students be instructed in the care and handling of milch cows and store cattle, during this period.

Instruction in the Dairy Schools.

The course of instruction in the dairy school must be followed for at least six months.

The instruction is divided into a practical and a theoretical part.

Practical instruction.

The *practical instruction* shall be of such a nature as to render the students perfectly acquainted with all the operations necessary for the conversion of milk into butter and cheese. For this purpose the regular work of the students shall be changed every week.

The dairy attached to the school must be arranged and fitted on the lines of a well-organised dairy, with the latest improvements, so that students may be instructed in the methods of creaming pursued in large dairies (ice and cold water processes, centrifugal system); in the operations connected with the process of souring the cream; in the manufacture and packing of butter; and in the preparation of the various kinds of whole-milk and skim-milk cheeses.

In order to render the practical work useful to the students, all the operations must be carefully recorded on tabulated forms furnishing notes of explanation of the individual processes in the several departments of the dairy. It is necessary that these tables should be regularly examined by the director or manager of the school.

Theoretical instruction.

The *theoretical instruction* should be directed to furnishing the student with a thorough grounding in all questions connected with the dairy industry. This can only be done by providing a really sound course of theoretical teaching. It is therefore necessary that the school should take steps to meet this requirement. The lessons in theory will be facilitated by the aid of recognised text-books. The schools should also engage the assistance of an educated expert (dairy-instructor).

In order to cope with the disadvantage under which students sometimes labour, owing to a bad elementary education, it is especially recommended that a supplementary course of instruction should be given in arithmetic and German, two or three hours a week.

A well-organised school should also keep a collection of drawings and models of the machines and appliances to illustrate the lessons, and good technical papers and works should be placed at the disposal of the students.

The theoretical instruction must be strictly directed to the following subjects:—Properties of milk; treatment of milk; manufacture of butter and cheese; testing milk by the methods generally employed by farmers, and payment for milk according to the proportion of fat it contains; the most important points connected with the feeding of milch cows with regard to the production of milk, and the effect of the common feeding stuffs on the quality of the milk; the construction and management of steam-bellows and centrifugal machines; laws relating to co-operation; technical book-keeping of the dairy industry and ordinary commercial book-keeping.

Lectures should be given for one to two hours daily according to the length of the course.

Examinations.

An examination is held at the end of the course, and certificates are granted to competent students. The examination will be confined to theory. The student's acquaintance with practical work will be ascertained from observations made during his residence at the school.

Certificates.

The certificate must be accurately filled up, and shall contain indications as to the student's behaviour; his acquaintance with practical work; and his knowledge of the individual branches of theory.

The examiner shall also state his opinion as to the general ability of the student, and as to his capability of undertaking the management of a dairy. The certificate must be signed by the director of the school and by the supervising committee.

Organisation and Discipline.

The organisation and discipline of the school is to be determined by the director and the school committee. It is recommended that such provisions be made as shall induce the students to cultivate punctuality, love of order, and regular and moral habits, so that the instruction in technical dairying may be accompanied by a salutary influence on the students' character.

B. DAIRY SCHOOLS FOR FEMALES.

As it is the object of the dairy schools for females to furnish instruction such as will enable students to undertake the management of so-called estate dairies, and to assist in large trade dairies, these schools should be closely connected with an estate dairy, or at least with a co-operative or buying-up dairy, so that the students may have opportunities of practical experience in dairy work and in calf rearing.

Management.

The recommendations as to management are practically the same as those relating to dairy schools for males.

Admission of Students.

Applicants should have passed through an elementary school. They must not be under 18 years of age, and should be healthy and of strong constitution.

It is very desirable that candidates should have had some practical experience in a dairy, and preference will be given to girls who can produce evidence of such experience.

Instruction.

The course of instruction must be of one year's duration at least. The instruction should be both practical and theoretical.

Practical instruction.

The *practical instruction* should be as far as possible entrusted to female teachers, and should be directed to rendering the students thoroughly proficient in all branches of the dairy industry connected with the manufacture of butter and cheese, and also with the rearing of calves.

The dairy should contain adequate accommodation and appliances for providing practical instruction in separating by the centrifugal, Swartz, and other processes, and in the preparation of butter from soured cream. Furthermore the dairy should be so arranged as to afford the students instruction in the packing of butter for the wholesale and retail trades, in the manufacture of ordinary house cheeses, especially, where possible, of soft cheese. The students should also receive the most comprehensive instruction in technical book-keeping for dairies, and in the compilation of dairy tables whereon the various operations and processes of the dairy work should be regularly recorded.

Theoretical instruction.

The *theoretical instruction* should be directed to furnishing the students with a thorough knowledge of the various processes in the dairy, and should be entrusted to an educated expert who should visit the school at least twice a week. The instruction in theory should comprise the following subjects:—Nature and manipulation of milk; systems of testing milk as far as relate to estate dairies; various methods of creaming, with special regard to the centrifugal process; preparation of butter and cheese. As the lectures in these subjects will only occupy 50 hours in the year, the dairy mistress should undertake to clearly explain to her pupils the various subjects taught, by means of questions, dictations and manuals.

For students who have not received a good elementary education, instruction in general elementary subjects is also recommended, as under A., for two or three hours a week.

The recommendations as to examinations are similar to those already detailed for the dairy schools for males.

*Training of Candidates for Positions as Managers.**Training of candidates for higher positions.*

The course of training for male candidates who propose to qualify for higher positions in the industry, such as the post of manager of a large creamery or dairy factory, has been practically defined on the following lines. The usual elementary school curriculum is followed in the first place by a course of practical instruction in the operations of butter and cheese making at some dairy school. Theoretical studies on the scientific nature of the various processes are not absolutely excluded at this stage, but theory is generally regarded as a form of secondary instruction, to be acquired at some dairy institute such as that at Kiel or at Kleinhof Tapiau. This is a recognised principle at each of these institutes, and in their regulations respecting the admission of students it is expressly stated that preference will be shown to those candidates who have already received some practical training in dairy work.

Until a comparatively recent date, however, there was no really effective system introduced for the proper development of this principle; that is to say there was no direct and organised

connection between the institute providing theoretical instruction and the schools for practical training. But in the spring of 1891, the administrative committee of the experiment station and institute at Kiel took an important step towards putting this matter on a sound working basis. An agreement was made with the managers of two large dairy schools—one at Elmshorn in Schleswig, the other at Hagenberg in Holstein—whereby the latter engaged to bring their scheme of practical instruction into harmony with the teaching provided at Kiel.

School dairies
in connection
with Kiel
Institute.

In the two dairy schools referred to, the pupils receive a thorough grounding in the practical side of dairying by means of lectures accompanied by demonstration, and by participating in all the operations connected with the working of the dairy. A certain amount of time is also devoted to practice in commercial and technical bookkeeping, while a series of lectures is usually provided on the elements of theory.

The course of instruction at both schools is of six months' duration; the pupils entering on 1st May and 1st November of each year.

The fees for the whole course are fixed at 12*l.* 10*s.*; half this sum being paid down at entrance, and the remainder at the expiration of three months. Full board and residence for the six months is provided at Elmshorn for an additional payment of 12*l.* 10*s.*, and similar accommodation is furnished at Hagenberg for 12*l.*

It should be mentioned that the Elmshorn Dairy School supplies milk and milk products to the three towns of Elmshorn, Altona, and Hamburg, while at Hagenberg, where large quantities of butter are likewise produced, special attention is directed to the manufacture of fancy cheeses. Both schools are fully equipped with all the latest and improved appliances for dairy work.

At the conclusion of his six months' course in the dairy schools the student, if proficient, receives a certificate signed by the manager, whereon is indicated the number of marks he has obtained for practical knowledge of dairying and bookkeeping, and a statement as to his general behaviour.

The courses of instruction for male students at the experiment station at Kiel are held twice in the year, each being of three months' duration, and limited to eight students. Candidates for admission, as mentioned above, are expected to have already received at least six months' practical instruction in one of the large dairy schools, preference being given to those applicants who have successfully passed through one of the two schools associated with the Kiel Institute.

Courses for
male students
at Kiel.

Provision is also made at the institute for the instruction of dairy assistants, farmers, and others desiring to perfect themselves in the theory and practice of dairying. But this is only done in the intervals between the ordinary courses.

In the second fortnight of February of each year, a dairy course of 14 days is opened at the Kiel Station for the benefit of dairy farmers and others already acquainted with practical dairy work.

Fuller details of the several schemes of instruction are given in the subjoined programme of the Kiel Dairy Institute.

PROGRAMME and REGULATIONS of the COURSES of INSTRUCTION in DAIRYING
at the INSTITUTE of the DAIRY EXPERIMENT STATION, KIEL.

A.—Preliminary Training in the Dairies.

Preliminary
training in the
dairies.

1. The dairies providing preliminary training in connection with the courses of instruction at the Kiel Institute are at present the co-operative dairies at Elmshorn and Hagenberg.

2. Applications for admission to these dairies should be addressed to the managers, accompanied by evidence of the candidate's education and character, as well as of his acquaintance with the elements of dairy practice. Pupils are received on the 1st May and 1st November; the course of instruction being of six months' duration.

3. In the dairies the training is chiefly directed to the practical work in dairying and to technical and commercial book-keeping. The pupils are also made acquainted with the essential elements of theory.

4. At the beginning of the course the names of those students who propose to attend the three months' course at Kiel are sent in to the manager.

5. At the conclusion of the six months' course each pupil is furnished with a certificate setting forth his capabilities in practical dairy work, his knowledge of commercial and technical book-keeping, and his behaviour. The admission of the pupil to the classes at the Kiel Institute may depend upon the nature of this certificate.

6. The rules as to the organisation, discipline, &c. in the dairies are fixed by the managers.

7. The fees for instruction (both in practice and theory) amount in both dairies to 12*l.* 10*s.*; half this sum is paid down at entrance and the remainder after the first three months have expired. Lodging and full board is provided at Elmshorn for 12*l.* 10*s.*; at Hagenberg for 12*l.*

By arrangement with the managers the pupils will be given an opportunity, whenever possible, of again attending the dairies at the conclusion of the course of instruction at Kiel.

B.—Regulations for the Three Months' Course in the Institute attached to the Dairy Experimental Station, Kiel.

Three months'
course at Kiel.

1. In the Institute of the Dairy Experimental Station at Kiel two courses of instruction for male students are held in the year, each being of three months' duration, and limited to eight students. The courses begin on 1st May and 1st November respectively.

2. The instruction will be mainly devoted to theory, and it is therefore necessary that candidates shall already have had at least six months' preliminary training in practical dairying.

3. In order to bring the preliminary training in harmony with the advanced instruction at Kiel, the institute has entered into an arrangement with recognised well-directed dairies in the province where such training can be obtained. The training in these dairies must extend over a period of at least six months.

In admitting students preference will be given to those candidates who have successfully passed through a course of training in one of the dairies associated with the institute.

4. Applicants who have not attended such a dairy (par. 3) may be admitted on producing satisfactory evidence of having had at least 12 months'

practical experience in dairying, of which period six months must have been passed in a dairy producing both butter and cheese.

Applicants who have received training in a dairy producing butter only will not be admitted.

5. Applicants for admission to the course must furnish the director of the dairy experiment station with documentary evidence as to their character, education, and acquaintance with practical work. They must be 18 years of age, and of strong and healthy constitution. Preference will be given to candidates who are natives of Schleswig Holstein.

6. The theoretical instruction, which embraces the whole of the operations connected with the dairy industry, including the principles of feeding stock, the bacteriological processes in milk and milk products, the law relating to co-operative societies, and mechanics, is given from one to two hours daily. The students are also initiated into the usual methods of determining the fat-contents in milk, and instruction is likewise afforded in milk testing by means of the weighing-machine.

7. The students take part, under the direction of the officials attached to the stations, in all the operations of the dairy, and they are given opportunities of practice in technical dairy book-keeping. The milk, which is creamed by the centrifugal method, is made up into butter and skim-milk cheeses. Several kinds of whole-milk cheeses are also made.

Students are allowed to practise milking in the sheds adjoining the experimental station.

8. At the conclusion of each course an examination is held under the direction of a committee consisting of some of the teaching staff of the institute and the directors of the two school dairies. This examination is confined to the theory of dairying.

The extent of the student's practical knowledge is ascertained from observations made during his preliminary training in the dairies. The certificates will contain particulars as to the student's behaviour and his knowledge of practical dairy work, dairy theory, technical and commercial book-keeping, law of co-operative societies, and mechanics.

9. Students are expected to be diligent and of good behaviour, and must comply with the regulations laid down by the director of the station. Insubordination or immoral conduct may lead to expulsion. In this case the fees will not be refunded.

10. The fee to be paid down at the beginning of the course is 3*l*. Students must arrange for their own board and lodging. They are recommended to reside, if possible, in suitable houses in the neighbourhood of the experimental station.

ADMISSION OF OCCASIONAL STUDENTS to the DAIRY INSTITUTE of the DAIRY EXPERIMENT STATION at KIEL.

1. Persons desiring to perfect themselves in the practice and theory of dairying are admitted to the institute for long or short periods, in the intervals during the ordinary courses of instruction. No students are received during the summer vacation. Occasional students.

2. Persons admitted under this scheme are permitted to take part in all the practical work of the dairy under the direction of the dairyman. The library of the station is also open to them. They are, moreover, afforded opportunities of practice in the usual methods of milk examination.

3. No regular curriculum of theoretical instruction is provided for this class of students. Lectures in theory are, however, given by the experts of the station and of the bacteriological laboratory in such time as these officials can spare from their duties.

4. The fee for a period of one month is 30*s*., for any longer period the terms are specially arranged. Persons wishing to take part in the practical work of the dairy must pay an additional fee of 5*s*. to the dairyman.

FOURTEEN-DAY COURSE IN DAIRYING at the KIEL INSTITUTE.

Fourteen-day
course for
farmers.

1. In the second fortnight of February of each year a dairy course of two weeks' duration is opened at the Kiel Station for the purpose of making farmers acquainted with the elements of rational dairying and improvements in dairy processes.

2. The lectures, which are given by the directors and assistants of the dairy experiment station and of the bacteriological section, cover the whole technique of dairying, including dairy bacteriology and examination of milk. The lectures are accompanied by demonstrations in the dairy and laboratory attached to the station.

3. The fee is 20s. Applications must be addressed to the directors of the Dairy Experiment Station.

BAVARIA.

Dairy industry
in Bavaria.

In connection with their request for information from the German Empire generally, the Board of Agriculture have received from the Foreign Office two Memoranda on the Dairy Industry of Bavaria, which have been prepared by Mr. Victor Drummond, Her Majesty's Minister at Munich. One of these is based on the reports of the Inspectors of Agricultural Associations in the Allgäu and Swabia, which are the largest milk producing districts of Bavaria. The second Memorandum is compiled from information supplied by Court Councillor Haag of the Bavarian Ministry of the Interior, and Professor Feser of the Veterinary High School, Munich.

DAIRY INDUSTRY IN BAVARIA.

Aids to dairy
industry.

The development of the dairy industry in Bavaria has, it appears, been considerable in the last fifteen years. The diminishing profits in wheat and wool, the increasing demand for dairy products, and the example of improved methods set by North Germany and especially Denmark have contributed to this result. Some of the means used to encourage the industry are:—

1. Dairy Lecture Courses.—These were for several years (1869–1875) held in Allgäu, but were abandoned, being chiefly frequented by foreigners. Three monthly courses continue to be held in Oberbayern at Landberg, and occasional courses are held in
2. Dairy Instruction.—The general committee of the Agricultural Association sends young men from time to time to the large dairies and creameries to learn the business.
3. Agricultural Girls' Schools.—Establishments of this class exist in Mittel- and Unter- Franken, and Schwaben, where girls learn dairy work and the household work of farms.
4. The Dairy Institute at Weißenstephan.—Here a steam dairy and centrifugal machinery, with a dairy laboratory, are in full work and regular courses of instruction are given.

5. The Central Agricultural Institute in Munich under Professor Soxhlet takes especial interest in experimental dairy work.
6. Consulting Expert and Travelling Professor.—Professor Feser holds this appointment, and his duties are to offer advice and assistance to dairymen and to travel throughout Bavaria giving lectures on the subject.
7. Dairy Exhibitions.—Besides the large Munich exhibition of 1884, smaller exhibitions have been held in Bavaria: Munich 1877, Rosenheim 1877, Straubing 1877, Bayreuth 1878, Günzburg 1879, Wangen 1883, Augsburg 1886.
8. Dairy Literature.—Various publications are produced in Bavaria tending to develop the knowledge of the subject, especially sent out by the dairy societies.

Moreover, the Schwaben Cheese Society does a great deal for the industry by its meetings, publications, &c., while the Allgäu Dairy Society is well known for its intelligent and energetic efforts to improve the methods in use.

Improvements have also been introduced in the facilities for bringing the products to market, particularly in the railway rates, and conditions of transport.

Milk Cattle in Bavaria.

Mr. Drummond furnishes a table showing the statistics of the Dairy land, extent of "dairy land," milk produced, &c., in the eight provinces of Bavaria, from which the following particulars have been extracted:—

Provinces.	Total Area.	Dairy Land.	Percentage of Dairy Land to Total Area.	Total Number of Cows.	Cows per 100 Acres of Dairy Land.	Milk per 100 Acres of Dairy Land.
	Acres.	Acres.	Per Cent.	No.	No.	Galls.
Oberbayern -	4,181,181	1,332,200	32.2	360,000	27	11,890
Niederbayern -	2,657,498	700,383	26.4	270,000	39	16,962
Pfalz -	1,464,250	271,100	18.3	125,000	46	20,288
Upperpfalz -	2,386,660	477,278	20.0	155,000	33	14,290
Oberfranken -	1,728,871	421,434	24.4	120,000	28	12,530
Mittelfranken -	1,870,519	393,953	21.0	140,000	36	15,636
Unterfranken -	2,074,694	437,953	21.1	140,000	35	14,070
Schwaben -	2,423,351	990,341	40.9	290,000	29	14,817
All Bavaria -	18,737,024	5,024,642	26.8	1,600,000	32	14,390

In Oberbayern, owing to differences of soil and climate, &c., cows produce less milk and require more fodder than in Schwaben. This fact receives confirmation from a comparison

Hay. of the quality of the hay grown in the mountains, valleys, and plains respectively, which is as follows:—

	Raw Protein.	Raw Fats.	Raw Fibrin.	Non-nitrogenous Matters.	Ash.
	Per Cent.	Per Cent.	Per Cent.	Per Cent.	Per Cent.
Mountain hays. - -	12.08	3.76	22.92	40.42	6.46
Alpine valley hays - -	11.8	3.1	22.8	41.1	7.2
Meadow hays from the plains.	9.7	2.5	26.8	41.3	6.2

Quality of cheese.

The inspectors of agriculture lay great stress on the quality of the cheese produced. Bavarian agriculturists lose a great deal by not having paid more attention to this, as is shown by the increase in cheese imported from Switzerland which has increased from 48,000 cwts. in 1880-82 to 80,000 cwts. in 1890.

Milk per cow.

The Allgäu cows give a yearly average of 506 gallons of milk per cow, the average of all Bavarian cows gives 440 gallons. The extraordinary nourishment from the Alpine grasses, and the consequent better cattle and milk, always astonish the lowland farmers.

The Inspectors wisely point out to the farmers and peasants in the Allgäu that the better the quality and the greater the quantity of food to the square kilometer, the more cattle they can have. The average number of cows to a square kilometer in Lower Bavaria is 95.2, in the Palatinate, however, 113.9.

The Inspectors also urge on the consideration of the dairy farmers of these Bavarian districts that by improvements of the milk pasture land it would be possible to increase the productive cow stock of the country to over 2,000,000 cows in place of the 1,600,000 now maintained, with the result that an increased milk production to the value of 3,900,000*l.* might be obtained, these figures being calculated on the assumption that the annual milk yield of a Bavarian cow is on the average 440 gallons of the value of nearly 5*sd.* per gallon.

Condition and quality of milk.

The very important subject of the condition and quality of the milk is one which has been too much neglected hitherto in Bavaria, whereas in North Germany great attention has been paid to it. The association aims at encouraging the purity and strength of the milk, and its healthy condition: matters which are of equal importance to the producer and dealer. If by these means the value of the milk produced in Bavaria could be raised by one pfennig (half a farthing) per litre, the gain in money earned would be nearly 33,000,000 marks (1,650,000*l.*), or for Schwaben alone 6,667,000 marks (333,350*l.*).

The latest statistics show an increase in all provinces except Milch cattle. Oberbayern. In Schwaben the number of cattle is greatest; next in order come Niederbayern and Oberbayern. The increase in cattle generally does not keep pace with the increase of population, but in Oberbayern, where the number of cattle has been stationary, the productive power of the cattle has been improved, thereby keeping pace in this province with the wants of the population. An instance of this, taken from the Allgäu district, is that of a peasant farmer who has improved the milking qualities of his stock of 15 cows by 2,200 gallons a year, *i.e.*, an increase of 146 gallons per cow per annum. In Allgäu there are many places where 15 years ago one cheese dairy amply supplied all wants in which now five and more are in full work. By the increase of, and improvement in, forage and fodder of late years it is often seen that a farmer will keep five or seven times as many cows as his father did on the same extent of ground. The net increase of cows in all Bavaria from 1873 to 1883 (the latest statistics) was 27,170, of which 10,329 were in Niederbayern, 7,791 in Mittel Franken, and 6,772 in Schwaben (Allgäu). Oberbayern showed a decline.

The number of middling and good milch cattle has notably increased, *i.e.*, those yielding from 440 to over 660 gallons a year—an important consideration.

The gray brown mountain cattle of Allgäu and Oberbayern are known as one of the best milking breeds in Europe, while other good breeds exist in Bavaria. It is estimated that Bavarian milk contains some four per cent. of fatty particles, so that 19 to 21 pints of milk produce one pound of butter. Around Munich all sorts of breeds of cattle are found, and it is there seen that good milking qualities are not the peculiar privilege of any one breed.

Breeding on a small scale is increasingly practised, with good results.

Munich alone uses some 8,800,000 gallons of milk yearly brought from considerable distances.

There are many large establishments for "milk-cure" in Bavaria under medical superintendence. "Sterilised" milk for infants, on Soxhlet's system, is also produced and in general use. Separation by centrifugal process was introduced in 1879, and is largely and increasingly employed with good results.

On the 15th July 1887 new police regulations respecting milk were issued, which have had important effects. They forbid the sale of unfit or adulterated milk, and regulate the sale and testing of milk generally. The increase of small and middling sized dairies and creameries (many of which, of course, already exist) in the cattle-breeding provinces of Bavaria is specially recommended by Professor Feser as profitable and beneficial to the district, and as using effectively the milk output of the very smallest holdings, the peasants receiving back their proportion of butter made *en bloc*. The larger estates in Bavaria

Mountain cattle
of Allgäu and
Oberbayern

Police regula-
tions respecting
milk.

usually possess their own dairies, in which butter and "square" thin cheese is mostly produced, "round" cheeses and special cheeses less frequently. In many cases the whole milk of an estate is made into cheese.

Processes of
creaming.

On the larger estates the latest improvements are in full use, such as the cold water or Swartz process, the application of centrifugal methods with water, steam, or other motive powers, the use of Lehfeldt or Holstein butter churns and butter-making machines, and good buildings, and the latest apparatus for making cheese. The large dairies and creameries are chiefly in Oberbayern and Schwaben.

In the former there are some 400, and in Schwaben nearly 1,400. They are of very various kinds. Putting aside the large estates, they mainly consist of so-called "cheesemen," who take all the milk of various small holdings and make cheese solely. In the Allgäu it often happens that the whole milk of stretches of Alpine pasture is brought down to the plains and worked up in large dairies. Many new buildings, on improved principles, have been constructed of late years in the Allgäu. Two sorts of cheese only are produced in the Allgäu, large round, and small-square cheeses.

Creameries.

Creameries.

There are two large creameries in Bavaria, one in Munich, one in Nürnberg, besides a few smaller ones, and others which admit the co-operative principle to a small extent only.

Munich is supplied not only by the co-operative creamery but in particular by some 300 to 400 peasant farmers living round Munich, who deliver direct to the shops and who get 14 pfennigs per liter (nearly 1d. a pint), which is considered a good price—better than that given by the creameries.

Services of
middleman
dispensed with.

Although co-operation in Bavaria has not far advanced, a good deal is done to get rid of the middleman, especially in Oberbayern, by the custom of sending butter from the farms in Oberbayern direct to the customer all over Germany (Berlin, Dresden, Cologne) in 10 lb. packets by parcel post. In Oberbayern it is the custom to give the skim milk to the calves and pigs, which plan works very well. The whey is also given to fatten the pigs.

The co-operative creamery of Munich (Oberbayerische Aktiengesellschaft), which was commenced in 1883 under another name, is in active operation, and uses some 10,000 liters of milk daily for table butter and thin cheese.

At Rickenback, near Lindau, there is a branch of the Anglo-Swiss Condensed Milk Company which uses daily 5,500 gallons of milk from Schwaben. It produces between 3,000,000 and 4,000,000 pots a year.

The Milk Company of Löffundt, at Schüttendobel, near Harbatzhofen in the Allgäu, also largely produces condensed milk but without sugar.

There are also dairy companies, or creameries properly speaking, both in the plains and hill country, which take milk from the small farmers and sell the products wholesale, keeping accounts with their original customers.

The large companies are best adapted to districts where great quantities of milk are produced, and then they do good service, as they economise space, apparatus, &c., &c., and have the latest appliances.

In Allgäu one-tenth of the creameries are already using the Swartz method, in fact wherever there is cold running water, and in Oberbayern at least 100 dairies do so. Ice can also be used for this method, the advantages of which are generally recognised. Sixty centrifugal machines are at work already in Bavaria, the first being laid down in 1879. The Swedish centrifugal apparatus (Laval's patent) is taking a prominent place. The hand separator, also, with horizontal drum, which separates 33 gallons of milk an hour, is largely in use. The Munich Co-operative Creamery uses Bechtolsheim's hand centrifugal machine which separates 55 gallons of milk an hour.

These centrifugal machines produce results superior to those obtained by the Swartz method and are likely to come more and more into use.

Swartz method
used in Allgäu.

Centrifugal
machines
superior.

Dairy Associations.

There were, in 1890, 24 Dairy Associations (Societies) in Bavaria, with 1862 members, as against 18, with 718 members, in 1887, a considerable progress. They are divided by provinces as follows:—

Provinces.	1887.		1890.	
	Societies.	Members.	Societies.	Members.
Oberbayern	6	136	15	443
Niederbayern	1	8	1	8
Pfalz	1	8	1	90
Oberpfalz	—	—	—	—
Oberfranken	3	84	2	84
Mittelfranken	—	—	—	—
Unterfranken	—	—	—	—
Schwaben	7	482	5	1237

The increase therefore has been entirely in Oberbayern and Schwaben.

The societies promote generally the interests of the dairy industry.

Putting Allgäu, the mountain districts of Oberbayern, and some districts in North Bavaria aside, the large estate and company dairies in Bavaria are chiefly given up to the production of sweet, unsalted table butter sent to various parts of Germany.

Butter-lard.

Butter-lard ("butterschmalz"), a mixture of butter and lard used for cooking purposes, from Niederbayern is highly prized. In 1883 for instance 2,013,400 lbs. were made for export.

The production of rennet cheese from fresh milk is largely increasing in South Allgäu, both as to soft or "Limburg" and hard "round" cheeses.

The soft cheeses are divided into :—

1. Rich Limburg cheese made of evening milk skimmed after 12 hours and the whole of morning milk ;
2. Half rich Limburg cheese made of 24 hours and 36 hours skimmed milk.

The heavy, rich, round cheeses of about 110 lbs. weight are made of full milk, and so-called thin Swiss cheeses or round cheeses of 12 and 24 hours milk. These are made all the year round, summer and winter.

In the Allgäu in 1883, 46,750,000 gallons of milk were made into 6,920 cwts. sweet butter, 660 cwts. inferior butter, 23,530 cwts. soft cheese, and 13,860 cwts. round cheese.

Table butter of
Allgäu and
Oberbayern.

The quality of the table butter of Allgäu and Oberbayern, especially the latter, was reported both at the 1884 Exhibition and on other occasions as "very good." The progress made in the Allgäu cheeses has also been very favourably remarked on, but in the cheese market of the world competition is so great that further efforts are necessary.

There has been a rise in the price of milk. In the "thirties" Bavarian milk cost in the country four pfennigs per liter (about $\frac{1}{4}$ d. per pint); in 1875, in Niederbayern it cost 10 to 14 pfennigs per liter (nearly $\frac{3}{4}$ d. to 1d. per pint). In Munich it now costs 20 pfennigs per liter (nearly $1\frac{1}{2}$ d. per pint).

More cheese is consumed in Bavaria than butter. Hence much butter is exported to North Germany. The great quantity of Swiss cheese (Emmenthaler, &c.) imported into Germany should serve as a lesson to Allgäu, first to continue in its present progressive improvement, and secondly to take care that it keeps up with foreign methods and enterprise.

Stud book of
Allgäu cattle.

Proposals for a general stud book of the Allgäu cattle have now been made (February, 1892) and laid before the Allgäu Agricultural District Committee.

In Allgäu new cattle-breeding establishments, or stud farm buildings, are being constructed with some energy on improved principles.

Local lectures on dairy subjects were given by Professor Engeler in the Allgäu in various places throughout 1891—a new departure.

The dairy experimental station at Memmingen was active during 1891. The number of tests of milk increased from 451 to 458, tests of butter from 27 to 28, and of cheese from 19 to 25, not including tests for purposes of study only. Eight courses of lectures on dairy subjects were given in the year at the station, and ten lectures in various places.

The dairy association of Allgäu counted 1,050 members on January 1st 1892, and the Schwaben Cheese Association 238 members on the same date. In 1890-91 its activity was very marked and its development considerable. The number of courses of instruction and lectures increased; new sections were opened and experimental work was extended.

Dairy Association of Allgäu.

State Aid for the Dairy Industry.

The State contributes:—

State aid.

1. 400*l.* a year to the Allgäu Dairy Society.
2. 150*l.* a year as Professor Feser's salary.
3. 50*l.* to milk and dairy competitions.

It also contributes to each district agricultural society a certain variable sum for general agricultural purposes, of which a part is expended in promoting the dairy industry. In all, the State contributes to the societies 3,900*l.* a year for all Bavaria. It also contributes for general agricultural purposes, to the local provincial governments, certain sums, making a total of 1,029*l.*

These local governments spend the above in encouraging agriculture, a portion going to the dairy interest. Besides, they also spend further sums out of local taxation. For instance, in Oberbayern the local government spends 3,050*l.* a year in encouraging agriculture, a small portion going to dairy interests, and Schwaben spends 400*l.* a year as a special contribution to the dairy association in the province.

CORRESPONDENCE

RESPECTING THE

SANITARY CONVENTION

SIGNED AT DRESDEN ON APRIL 15, 1893.

*Presented to both Houses of Parliament by Command of Her Majesty.
September 1893.*

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Correspondence respecting the Sanitary Convention signed at Dresden on the 15th April, 1893.

No. 1.

"Interrogatory" or Programme for the Discussions of the International Sanitary Conference.—(Communicated by Count Deym, March 3, 1893.)

CONFÉRENCE SANITAIRE INTERNATIONALE DE DRESDE.

Questionnaire aux Nos. 1 et 2 du Programme.

(A.)—Partie Générale.

1. QUELLES seraient les mesures propres pour tenir les Gouvernements représentés au sein de la Conférence régulièrement au courant de l'état de l'épidémie, ainsi que des moyens appliqués en vue d'éviter la propagation et l'invasion de la maladie ?

2. Dans quelles conditions un endroit doit-il être considéré :—

(a.) Suspect du choléra.

(b.) Infecté „

(c.) Indemne „

et à partir de quel moment, et pour quelle durée, les mesures préventives sont elles admissibles envers les territoires contaminés ?

3. Quels sont les moyens de restreindre l'extension territoriale des mesures de prévention appliquées contre le choléra de manière à en excepter les provenances absolument inoffensives ?

(B.)—Commerce et Poste.

4. Quels sont les objets qui, en vue d'obvier à l'invasion du choléra, pourront être exclus de l'importation :—

(a.) Dans le domaine du service des chemins de fer ?

(b.) Dans le domaine du service des colis postaux ?

5. Quelles sont les conditions auxquelles on saurait admettre des marchandises, dont l'entrée dans le pays de destination n'est pas prohibée, à transiter des pays où leur importation est défendue ou les admettre à l'entrée bien qu'elles aient passé par des États infectés par le choléra ?

6. Quelles sont les conditions qui permettront d'exempter des prohibitions d'entrée les marchandises qui, à raison de l'époque de leur expédition, peuvent être considérées comme non suspectes ?

7. Est-il permis d'appliquer à certains objets, en dehors de la défense d'entrée, des restrictions ultérieures ?

8. Quels sont les objets qui pourront être soumis, soit à la frontière, soit au lieu de destination, à la désinfection ?

Savoir : sous quelles conditions, et à quel endroit, la désinfection doit elle se faire :—

(a.) Des effets des voyageurs ?

(b.) Des effets d'installation ?

(c.) Quelles sont les conditions dans lesquelles des objets ne rentrant pas dans les catégories (a) et (b) pourront être soumis à la désinfection ?

9. Sous quelles conditions la désinfection (8, a, c) pourra-t-elle s'étendre également

sur des objets qui, provenant d'un territoire exempt du choléra, ont transité un territoire contaminé.

10. La désinfection—

- (a.) Des effets des voyageurs ;
- (b.) Des effets importés à la suite d'un changement de domicile ;
- (c.) Des objets ne rentrant pas dans les deux catégories, pourrait-elle être réduite à certaines règles générales admissibles pour tous les États, afin d'éviter autant que possible la détérioration des dits effets ?

En cas affirmatif quels sont ces principes généraux à adopter ?

11. Existe-t-il l'obligation d'une restitution en dommages-intérêts à la suite des procédés de désinfection ?

- (a.) Quels sont les cas où un dédommagement pourra être réclamé ?
- (b.) Cette responsabilité doit-elle être limitée ou non ?

12. Quant aux lettres et correspondances pourra-t-on renoncer complètement aux mesures de prévention et, en premier lieu, à la désinfection ?

13. La réglementation du trafic-frontière pourra-t-elle être réservée aux États limitrophes ?

(C.)—*Moyens de Transport, Véhicules, &c. (à l'exception des Navires).*

14. Paraît-il nécessaire de retenir à la frontière dans le service en transit des chemins de fer les voitures destinées au transport des voyageurs, de la poste et des bagages ?

15. Doit-on désinfecter à la frontière les wagons de marchandises ?

16. Devrait-on laisser aux Gouvernements des États riverains le soin de régler par des arrangements spéciaux le service de navigation sur les fleuves et sur les lacs ?

(D.)—*Mouvement des Voyageurs.*

17. Les quarantaines terrestres sont-elles admissibles ?

18. Quelles sont les circonstances qui permettraient d'empêcher les personnes venant de l'étranger à continuer leur voyage ?

19. Doit-on soumettre les voyageurs à une surveillance permanente de la part du personnel des chemins de fer ?

20. Quelles sont les circonstances qui rendraient utile de soumettre pendant leur voyage même les voyageurs et le personnel des trains à une visite médicale ?

21. Pourra-t-on soumettre à une observation de plusieurs jours, après leur arrivée au lieu de destination, les personnes venant d'endroits contaminés ?

22. Quelles mesures doivent être prises pour réserver aux employés des services d'exploitation (chemins de fer, poste), la faculté de passer la frontière, dans l'exercice de leurs fonctions, et de demeurer au cas de besoin dans les endroits-frontière étrangers ?

23. Les Gouvernements devront-ils se réserver le droit de prendre des mesures particulières envers certaines catégories de personnes, notamment envers—

- (a.) Les bohémiens et les vagabonds ;
- (b.) Les émigrants et les personnes voyageant ou passant la frontière par troupes ?

24. Paraît-il utile d'abandonner aux États limitrophes le soin de régler par des arrangements spéciaux le trafic-frontière ?

(E.)—*Trafic par Mer.*

25. Un navire, quand doit-il être considéré infecté et quand suspect ?

26. Quelles seraient les mesures suffisantes envers les navires infectés et les navires suspects ?

Notamment :

(a.) Est-il admissible d'interdire complètement l'entrée d'un port aux navires provenant d'un pays infecté par le choléra ?

(b.) Les quarantaines par mer sont-elles admissibles, ou bien une revision sanitaire suffirait-elle pourvu qu'elle soit accompagnée de l'isolement des malades ou suspects et, le cas échéant, de l'observation de tout l'équipage et des voyageurs et de mesures de désinfection ?

(c.) En tant qu'une quarantaine par mer soit applicable, quels navires en seraient passibles ? quelle en sera la durée ? où sera-t-elle purgée ? enfin quelles communications le navire pourra-t-il entretenir avec la terre ?

27. Quels seraient les moyens de régler le régime quarantenaire de la Souline d'une manière conforme aux intérêts en cause et sous quelles conditions les dispositions de la

Convention Sanitaire de Venise pourraient elles trouver leur application, en particulier, en ce qui concerne le transit en quarantaine ?

28. Pourra-t-on exempter de toute restriction le trafic postal ?

(Translation.)

INTERNATIONAL SANITARY CONFERENCE OF DRESDEN.

Interrogatory. Nos. 1 and 2 of the Programme.

(A.)—*General.*

1. WHAT measures should be adopted for keeping the Governments who are represented at the Conference informed regularly on the course of the epidemic, and on the means used to prevent the disease from spreading and invading other regions ?

2. In what conditions should a place be considered—

(a.) Suspected of cholera ;

(b.) Infected with cholera ;

(c.) Free from cholera ;

and from what moment and for how long may preventive measures be used against contaminated regions ?

3. How should the territorial extension of preventive measures against cholera be limited so as to except from the operation of such measures whatever may be perfectly innocuous ?

(B.)—*Trade and the Post.*

4. What articles may, with the view of preventing the entrance of cholera, be prohibited from importation :—

(a.) In connection with railways ?

(b.) In connection with the parcel post ?

5. Under what conditions may merchandize, which is not prohibited in the country of destination, be permitted to pass through countries which do not allow the importation of such merchandize, or be admitted after having passed through States infected with cholera ?

6. Under what conditions may merchandize which, owing to the date of its dispatch, is considered as not suspect, be exempted from the prohibition of importation ?

7. May any restrictions, besides the prohibition of importation, be applied to certain articles ?

8. What articles may be disinfected, either at the frontier or at destination ?

Namely, under what conditions may—

(a.) Travellers' luggage,

(b.) Household effects,

be disinfected ?

(c.) Under what conditions may articles other than those specified under (a) and (b) be disinfected ?

9. Under what conditions may disinfection (8, a, c) be applied to articles which, though coming from a region free from cholera, have passed through a contaminated region ?

10. Can disinfection—

(a.) Of travellers' luggage ;

(b.) Of articles imported on household removal ;

(c.) Of articles other than those specified under (a) and (b) be carried out under certain general rules, allowed by all countries, and framed so as to cause as little injury as possible to the articles disinfected ?

In the event of an affirmative answer, what are the general principles to be adopted for the purpose ?

11. Are damages due in consequence of disinfection ?

(a.) In what cases can damages be claimed ?

(b.) Should the liability to pay damages be limited or not ?

12. Can preventive measures, and, in particular, disinfection, be entirely dispensed with in the case of letters and correspondence?

13. Can the regulation of frontier traffic be left to the frontier States?

(C.)—*Transport, Vehicles, &c. (other than Ships).*

14. In the case of through traffic on railways, is it necessary to stop at the frontier rolling-stock used for the conveyance of persons, of the post, and of merchandize?

15. Should goods rolling-stock be disinfected at the frontier?

16. Should the Governments of the riverain States be left to regulate, by special arrangements, traffic on rivers and lakes?

(D.)—*Passenger Traffic.*

17. Are land quarantines permissible?

18. In what circumstances may persons coming from abroad be prevented from continuing their journey?

19. Should passengers be under the permanent supervision of the railway staff?

20. In what circumstances would it be well for the passengers and the train staff to undergo a medical visit during the journey?

21. May persons coming from contaminated places be submitted, after their arrival at destination, to an observation of some days' duration?

22. What measures should be taken to reserve to the working staff (railways, post) power to cross the frontier on business, and, if necessary, to stay in places on the foreign side of the frontier?

23. Should Governments reserve to themselves the right to take special measures against certain classes of persons, namely, against—

(a.) Gipsies and vagrants;

(b.) Emigrants, and persons crossing the frontier in large numbers?

24. Would it be well to leave the frontier Governments to regulate frontier traffic by special arrangements?

(E.)—*Maritime Traffic.*

25. When should a ship be considered infected, and when suspected?

26. What measures would suffice in the cases of infected and suspected ships?

Namely:

(a.) May ships coming from a country infected with cholera be entirely prohibited from entering a port?

(b.) Are sea quarantines permissible, or would a medical visit suffice if accompanied by the isolation of the sick and suspected, and, if necessary, by the observation of all the crew and passengers, and by disinfection?

(c.) In so far as sea quarantine may be applicable, what ships should be subject to it? What should be its duration? Where should it be performed? What communications should be allowed between ship and shore?

27. How can the quarantine system of the Soulina mouth be arranged so as to meet the interests involved, and under what conditions could the provisions of the Sanitary Convention of Venice be applied, especially as regards transit in quarantine?

28. Can postal traffic be exempted from all restrictions?

No. 2.

Count Hatzfeldt to the Earl of Rosebery.—(Received March 7.)

(Translation.)

My Lord,

German Embassy, London, March 4, 1893.

THE Austro-Hungarian Government proposed that Representatives of the European Governments should meet at a Conference for the purpose of deciding on any measures that should be taken with a view to arresting the progress of epidemics which periodically threaten the States and people of Europe. The Austro-Hungarian Government at the same time submitted a draft of the questions to be examined at the proposed Conference.

The Powers to whom invitations were addressed having agreed to the holding of a Sanitary Conference, and having accepted the draft of questions to be discussed at it, the Austro-Hungarian Government have expressed a wish that the Conference should assemble, in March of this year, at Dresden.

In accordance with instructions received, I have the honour to invite Her Majesty's Government to send Representatives to the Conference at Dresden, and to instruct their Representatives to meet those of the other Powers at that place on the 11th March.

I have, &c.

(Signed) HATZFELDT.

No. 3.

The Earl of Rosebery to the British Delegates to the Dresden Sanitary Conference.

(Extract.)

Foreign Office, March 7, 1893.

I TRANSMIT to you herewith correspondence respecting the Sanitary Conference which is to be held at Dresden this month.

Her Majesty's Government, on their part, are ready to join in an examination of any well-considered plans for the purpose of preventing the outbreak of disease and of checking its progress, as well as measures of precaution really necessary for the preservation of public health. They are glad to observe a disposition to relax the stringency of regulations which have exceeded the requirements actually needed for these purposes; and, so far as an opinion can now be formed, the proposals to be submitted to the Conference will constitute an amelioration of the existing practice in many localities favourable to travellers, navigation, and trade.

In this country experience has shown that the precautionary measures now resorted to have hitherto sufficed for public security. At the same time, Her Majesty's Government are quite ready to recognize that, in other countries, local conditions and the state of feeling in regard to sanitary questions may render a somewhat different course of action advisable.

Her Majesty's Government would not be likely to assent to any important alteration in the practice now in force in the United Kingdom. There would, for example, be serious difficulties in the way of introducing a system of permits, or verification cards, to be used by passengers; and, apart from scientific questions, the adoption of any system of bacteriological examination must, in the event of administrative action being dependent upon its results, create delay.

Her Majesty's Government further deprecate any general rules with respect to quarantine or the detention of vessels. They are not prepared, as far as the United Kingdom is concerned, to adopt the Regulations of the Venice Sanitary Convention for vessels in which, on a voyage terminating at a port of the United Kingdom, cholera has occurred.

Dr. Thorne's experience and knowledge will qualify him in an especial manner for treating details of this nature.

As regards British Colonies and possessions, you will bear in mind that it has in recent years been the policy of Her Majesty's Government to leave great latitude of action to the Local Government.

You will not in any way engage that they would adopt in practice the principles which may be agreed upon by the Dresden Conference. The decisions there arrived at will be referred for the consideration of the Local Governments, and you may in your discretion express your personal opinion that they will be recommended for adoption as far as circumstances may permit.

With regard to Gibraltar, Malta, and Cyprus, it is to be borne in mind that under ordinary circumstances it is virtually a matter of necessity for the local authorities in these possessions to adopt measures of observation and quarantine in conformity with the action taken in Spain and Tunis and Turkey respectively. It is sometimes even necessary for the authorities in these places to go beyond the rules and practice in force at the time in the neighbouring countries with which they are in chief communication. Any principles, however, which the Government of Spain and Turkey respectively might adopt would have weight with the authorities at Gibraltar, Malta, and Cyprus.

The intention of the Austro-Hungarian Government, as explained in their latest communications, appears to be that the measures proposed shall be discussed with the view to the acceptance or adoption of certain principles, rather than as was the case at the Venice Sanitary Conference, that a further Convention shall be agreed to and signed. In

whatever form the conclusions arrived at are recorded, you may sign a Protocol referring them for the consideration of the Governments represented; but you are not authorized to sign any document which implies any further engagement without the previous sanction of Her Majesty's Government.

No. 4.

The Earl of Rosebery to Count Hatzfeldt.

M l'Ambassadeur,

Foreign Office, March 10, 1893.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 4th instant, inviting Her Majesty's Government to send Representatives to the Conference which it is proposed to hold at Dresden on the 11th instant, for the purpose of deciding on any measures that should be taken, with a view to arresting the progress of epidemics which periodically threaten the States and people of Europe.

In reply, I have the honour to inform your Excellency that the British Representatives at the Conference will be Mr. Strachey, Her Majesty's Minister Resident at Dresden, and Dr. Thorne, the Medical Officer of the Local Government Board, assisted by Mr. Farnall, of this Office.

I have, &c.
(Signed) ROSEBERY.

No. 5.

*The British Delegates to the Dresden Sanitary Conference to the Earl of Rosebery.—
(Received March 14.)*

My Lord,

Dresden, March 11, 1893.

THE International Sanitary Conference was opened to-day, under the honorary presidency of the Saxon Minister of Foreign Affairs. Herr von Metzsch welcomed the Delegates in an appropriate address, in which he expressed the satisfaction caused to the King and Government of Saxony by the presence in their capital of a European assemblage convened for such a high humanitarian purpose. The Senior Austro-Hungarian Delegate, M. de Hengelmüller, then invited his colleagues to elect as President the Prussian Representative at this Court, Count Dönhoff, who has been appointed Senior Delegate of the German Empire. This being approved, Count Dönhoff addressed the Conference on the objects which had prompted the present meeting, the proposed procedure, and the like.

The President further stated that, in the absence of the French and Ottoman Delegates, it would be undesirable to commence business forthwith. He would therefore adjourn the Conference till the 14th instant, by which date the absent members would presumably have arrived in Dresden.

We beg to add that, on learning the non-arrival of the French Delegates, we urged in the proper quarter that it would be undesirable for the Conference to deal with any important matter in their absence. Should there be an eventual disposition to commence actual business before the appearance of M. Barrère and his colleagues, we should be disposed to advise a further brief delay.

Trusting this will be approved, we have, &c.

(Signed) G. STRACHEY.
R. THORNE THORNE.
H. FARNALL.

No. 6.

The Earl of Rosebery to the British Delegates to the Dresden Sanitary Conference.

Gentlemen,

Foreign Office, March 20, 1893.

I HAVE received your despatch of the 11th instant announcing the opening of the International Sanitary Conference, and its adjournment to the 14th instant, in consequence of the non-arrival of the French and Ottoman Delegates.

I have to inform you that I approve your action in urging that it would be undesirable to deal with any important matter in the absence of those Delegates.

I am, &c.
(Signed) ROSEBERY.

No. 7.

*The British Delegates to the Dresden Sanitary Conference to the Earl of Rosebery.—
(Received May 6.)*

(Extract.)

Dresden, April 18, 1893.

WE have the honour to report that, in accordance with your Lordship's instructions of the 7th March last, we attended the International Sanitary Conference held at Dresden. We were present at all its meetings, and took part in all its deliberations.

The countries represented were: Germany, Austria-Hungary, Belgium, Denmark, Spain, France, Great Britain, Greece, Italy, Luxemburg, Montenegro, the Netherlands, Portugal, Roumania, Russia, Servia, Sweden and Norway, Switzerland, and Turkey.

The printed Proceedings of the Conference are submitted separately.

The first meeting was held on the 11th March, 1893, and this, and the three subsequent meetings, were mainly taken up by formal statements, by the different Delegates, of the Laws and Regulations in force in their respective countries, and of their application during the epidemic of last year. Some of the statements were coupled with the expression of the hope that the labours of the Conference would result in a relaxation of the restrictions to which, in many parts of Europe, traffic, whether of individuals or of merchandize, had hitherto been exposed.

At the fourth sitting we explained the policy which, for many years past, had been carried out in England with regard to the prevention of cholera, we showed the results of our practice, and, after a brief account of the circumstances which attended the importation of cholera into England last year, we pointed out that the disease had in no case extended beyond persons arriving from abroad. And at the ninth sitting, when the Conference had under discussion the Regulations for arrivals at sea frontiers, we described in some detail the application of our Cholera Regulations to English sea-ports.

To facilitate the labours of the Conference, three Committees were appointed to consider the Interrogatory submitted by the Austro-Hungarian Government, and to submit conclusions for discussion by the full Conference. Such conclusions as were adopted by the Conference were subsequently embodied in a Convention. We were represented on each of these Committees.

The First Committee was concerned with the duties imposed on a Government when cholera appears in its country. The Second Committee dealt with the measures which devolve on a Government to prevent cholera from spreading into its own territory from abroad, or from one part of its own country to another. These subjects were treated under three headings, namely, measures on land, measures on rivers, and measures by sea. The Third Committee was concerned with traffic up the Sulina mouth of the Danube.

The First Committee held four sittings. It dealt, in the main, with the information as to the existence of cholera, which each Government should secure for itself and communicate to other countries; with the reciprocal notifications to be made between countries concerning the spread of cholera and the means taken to stay its diffusion; with the conditions under which any area should be regarded as infected ("contaminé"); and, lastly, with the measures to be adopted in order to prevent the restrictions being imposed against an entire country when only a limited portion of it is infected.

A number of conclusions were arrived at by this Committee, and, with certain modifications, they were adopted by the full Conference at a later sitting. They embody the principle of the notification between countries of cases of cholera, and they aim at preventing certain unreasonable measures of restriction against countries in which cholera has appeared. We assented to them; but as regards a proposal to the effect that "les cas restés isolés ne feront pas nécessairement l'objet d'une notification," we expressed the opinion that the limitation of the notification to a so-called "foyer" would encourage a secrecy with regard to the onset of cholera which might materially affect the value of the notification, and that, under any circumstances, England would maintain her present practice of making public every occurrence of cholera in her

country. The desire to limit the notification between countries to an actual "foyer" was, however, very general; the limitation was necessary, as was alleged, to avoid exposure to restrictions unnecessary in the case of isolated attacks of the disease; and, under the circumstances, we did not press our objections to the proposal. No satisfactory definition as to what constituted a "foyer" could be arrived at.

The Second Committee had to deal with by far the largest number of the subjects of Austro-Hungarian "Interrogatory." Thus, their labours included the definition of infected and healthy districts, the application of disinfection, and the restrictions to be imposed on traffic, whether of merchandize or of persons, and whether by land, by river, or by sea, with a view to the prevention of cholera.

No district is to be considered infected, or to be the subject of restriction, until it is held to be the seat of a "foyer" of cholera, and all restrictions are to cease, subject to the adoption of certain measures of disinfection, as soon as five days have elapsed since the last occurrence of or death from cholera. But, whilst this is the case, the limitation of these restrictive measures is only to apply to countries the Governments of which take steps to prevent the exportation of articles from the infected district which are deemed to be "susceptible," *i.e.*, capable of transmitting cholera. We pointed out that, as yet, Great Britain had never been placed in a position rendering it necessary for her to impose restrictions on any articles exported from her territory for the purpose of preventing extension of cholera abroad; but as the conclusion in question is concerned only with articles coming from an actually infected district, and as it is limited to the few articles which the Convention defines as "susceptibles," we did not insist on our objections.

The term "susceptible" has, indeed, under the Convention, a very limited application. It relates only to articles of clothing and bedding which have been in use, and to rags as defined by the words "chiffons" and "drilles." But some very important exceptions are made with regard to articles which in our country come under the term "rags."

Thus, it was decided that "rags" sent in bulk, and under the customary conditions which apply to rags as an article of merchandize, shall not be deemed "susceptible," and should therefore be free from all restrictions: the same exemption was made to apply to clean clippings and various similar articles, as also to woollen rags coming under the trade definitions "Kunstwolle" and "shoddy."

Some considerable discussion took place as to these exemptions, not only in the Committee, but in Sub-Committee, and at more informal gatherings of which there are no records. As regards the interchange of views which took place at these meetings, it will suffice to say that the leading Technical Delegates present, including Professors Koch, Brouardel, and Proust, were unanimously of opinion that in no case had cholera been traced to "rags" in the form in which they are now exempted, and that risk of their conveying the infection of cholera was so remote as to justify the exemptions specified.

It was further decided that the transit through a country even of merchandize classified as "susceptible" must not be prevented if the goods are so packed that they cannot be handled on the way; that merchandize ought not to be prevented entering a country even if it had passed through an infected district, provided it had been so conveyed as to avoid contact with infected things; that no merchandize should be subject to restrictions if it could be shown that it had been dispatched from an infected country not less than five days before the commencement of an epidemic; and that no merchandize ought to be retained in quarantine at land frontiers.

At one stage of our proceedings considerable difficulty arose in regard to disinfection. There was formally submitted to the Committee a proposal to the effect that the disinfection of dirty (*i.e.*, unwashed) linen which formed part of the luggage of passengers should be obligatory at the frontiers of all countries. The French Representatives maintained very strongly that this should be accepted as a definite obligation, whereas a number of Delegations, including those of Germany, Austria-Hungary, Italy, Belgium, Switzerland, and Great Britain, contended that such a practice was useless except where the articles were infected. In opposition to the alleged experience of France, that there had been no importation of cholera at her frontiers, where the practice in question had been carried out, we were able to speak to a precisely similar immunity in England, where no such action had been resorted to as regards the vast numbers of persons reaching our shores from infected countries. The matter having been discussed at great length, we submitted an amendment to the effect that such articles should be disinfected provided the local authorities had reason to regard them as having been contaminated by choleraic discharges, but this was at once met by a demand on the part of the French Delegation to

the effect that a vote should be taken on the question whether this disinfection was in all cases to be compulsory or permissive. Of eighteen Delegations present, thirteen voted that it should be permissive; four, namely, France, Greece, Russia, and Turkey, that it should be compulsory: Portugal abstained.

At the opening of a sitting of the Committee on the following day the French Delegation proposed to render it obligatory to disinfect all dirty linen and other articles, provided they came from a district declared to be infected. Although this proposal was in effect the same as that which, after lengthened consideration, had been rejected in so definite a manner on the preceding day, the majority of the Delegations present had come prepared to accept it, the result being that it was adopted on behalf of all the Powers represented except Great Britain.

Having regard to the contradictory nature of the proceedings of the Committee on this subject, and to the overwhelming vote of the previous day, we felt that so sudden a change of front could have no real influence in the direction of imposing on all nations alike this useless proceeding, and, as we shall have occasion to point out under the head of maritime restrictions, we had eventually reason to find that our judgment was correct.

After deciding on a number of conclusions affecting the passage of trains and persons across land frontiers in such manner as to secure a diminution in the restrictions which had been heretofore so commonly resorted to, it was decided that the regulation of traffic along rivers common to two or more countries should be left in each case to the respective riverain States; the Committee further recommending for adoption the Regulations drawn up by the German Government on this subject, which had in practice been found to give good results during the epidemic of 1892.

The subject of maritime measures and arrivals by sea having been now reached, a Sub-Committee was formed to prepare answers to that portion of the "Interrogatory" which related to arrivals at sea-ports. These having been drawn up, were submitted in the form of provisional propositions at the fifth sitting of the Second Committee. They prescribed, amongst other things, the treatment to which three classes of vessels, namely, "infectés, suspects, et indemnes," were to be subjected.

The first proposal related to the definition of the terms "navire infecté," "navire suspect," and "navire indemne."

It was decided that a vessel should be held to be infected if there was cholera on board, or if a case had occurred on board within seven days before arrival in port. As regards such vessels, three Regulations were laid down. In the first place, persons actually sick of cholera were to be landed, a condition to which we assented. By the second Regulation it was laid down that all other persons on board were also to be landed, if possible, and then subjected to a process of "observation" for a period not exceeding five days, reckoned from the date of the occurrence of the last case.

Having regard to the fact that in a subsequent Regulation dealing with suspected vessels the term "surveillance," and not "observation," was used, it was clear that the intention was to subject healthy passengers landing from an infected vessel to a definite detention in some lazaret or similar institution; in short, to carry out what is known as a "quarantaine d'observation." We therefore felt it our duty to explain that, as the result of a lengthened experience, it had been decided in England that compulsory detention should be limited to those who are actually sick on arrival, and that we trusted to inland Sanitary Authorities to maintain such sanitary conditions and arrangements as would enable them to prevent the extension of the disease should any case of cholera arise subsequent to landing. And we added that our assent to the Regulation in question could only be given on the distinct understanding that the "observation" would, in the case of England, be limited to the supervision to which passengers arriving from infected vessels are subjected for a few days in their own homes by the local Sanitary Authorities. This reserve we repeated at a subsequent sitting of the full Conference, and it was inserted in the "Protocole de Signature."

The third Regulation is concerned with the disinfection of articles and of certain portions of an infected vessel. This Regulation, as first presented to the Committee, was so framed as to make it compulsory to disinfect all the unwashed linen in the trunks of passengers arriving in a vessel on which a case of cholera had occurred within the previous seven days. In short, it practically repeated the requirement already referred to in connection with the subject of Disinfection, and it was strongly insisted on by the French Delegation. The extension of this obligation to arrivals by sea was very distasteful to the German Delegation, and after an unsuccessful attempt on their part to get the French Delegation to modify the proposal, they announced in Committee that they could not accept it. We supported them, adding that our ex-

perience in England over a long term of years was such as to show that the requirement was unnecessary, and that, under the circumstances, we absolutely declined to be bound by any such obligation merely because another country considered it necessary in her own interests. In the end the obligation as to disinfection stands as limited to such articles as, in the opinion of the local Sanitary Authority, have been actually contaminated by choleraic matters. In short, the proposal made by the British Delegation when the subject was first discussed in connection with Disinfection was in substance accepted, and the corresponding conclusion already referred to in dealing with that subject was also altered in like manner. In their present form, both Regulations closely correspond with the actual practice adopted in England.

Suspected vessels were next dealt with. They are defined as vessels on which cholera has occurred either at the moment of leaving the port of departure or during the voyage, but on which no fresh case has arisen for seven days. These vessels are subjected to a medical visit, to disinfection of articles actually infected, and to certain precautions concerning bilge and drinking water. A recommendation is appended as to the advisability of maintaining under supervision ("surveillance") the crew and passengers for a period of five days. As regards this suggestion, which is repeated as to vessels styled "indemnes," we explained that the practice was not likely to be deemed necessary in England, but as it came as a recommendation only, and was held to be of value in other countries, we should raise no objection to it.

A further suggestion in a like recommendatory form relates to some supervision over the movements of the crew.

Vessels styled "indemnes" were next discussed. They are defined as vessels on which there has been no death or attack from cholera. Such vessels are at once to have free pratique, even though they may have come from an infected port; and it is laid down that the Regulations to which they can be subjected when coming from an infected port shall, in no circumstances, exceed those concerning suspected vessels.

The definitions of the terms "infecté," "suspect," and "indemne" agree with those in the Convention of Venice.

A few other general conclusions were adopted, such as the power to enact special Regulations in the case of vessels which carry emigrants, which are overcrowded, or are in a bad sanitary condition.

There follow certain important conclusions as to merchandize. Thus, it was decided that goods arriving by sea were to be submitted to no other restrictions, whether prohibitory or relating to such matters as disinfection, than were permissible at land frontiers.

It was also resolved that any ship declining to submit to the Regulations affecting the three classes of vessels above referred to should be free to resume her journey without detention, but that any such vessel could land her merchandize under certain conditions, which will not, we trust, be regarded as needlessly irksome; and, further, that any passengers willing to submit to the Regulations affecting arrivals at the port should also be free to land.

It was further laid down that every country should provide on each of its coasts at least one port so fitted and adapted as to be able to receive vessels whatever their sanitary condition.

Meanwhile, the Third Committee was engaged on its labours. The question before it was, in substance, as follows: What sanitary restrictions should be imposed on navigation in the Sulina mouth of the Danube, and how far are the Rules of the Convention of Venice applicable to this particular case?

At the second meeting of the Committee the principal Russian Delegate brought forward a set of Rules drawn to meet, according to his view, the special requirements of the steamers trading between Odessa and the port of Reni on the Pruth, in the Russian Province of Bessarabia, which is reached from the Black Sea by the Sulina branch of the Danube. They also professed to offer adequate security to the Roumanian Government, to whom the maintenance of the local waters in a state of purity is a capital interest, as a portion of the riverain populations—more especially the inhabitants of the town of Sulina—derive their drinking water from the stream.

It was the Russian contention that this difficulty would be met by the grant to the Odessa steamers of leave to mount the Danube to Reni "in quarantine," under guarantee of a set of restrictions to be enforced on the Black Sea by Russian medical authority, and during the ascent of the river "in quarantine" by the Roumanian sanitary police.

The Russian Delegate's proposals were elaborately drafted so as to give effect to this scheme. We do not quote them in detail, as they were rejected by M. Ghika, the Representative of Roumania, in a reply which dealt exhaustively with the points at issue

by every available resource of administrative, topographical, statistical, and medical argumentation.

In objections of the last-named category lay the onus of M. Ghika's refusal. He maintained, as decisive for his Government, that the Russian proposals failed to provide those absolute safeguards for the maintenance of the purity of the river against contamination by choleraic dejections from passing steamers, which that Government regard as vital for Roumanian interests.

In presence of this apparent deadlock, the Committee charged a Scientific Sub-Committee to advise on the points at issue, and as to the conditions, if any, under which the principles adopted by the Conference of Venice in the case of the Suez Canal might be susceptible of application to the Sulina channel. The Sub-Committee included the Technical Delegates of France, Germany, Italy, Roumania, Turkey, and Great Britain. Diplomatic Representatives of Austria-Hungary and Russia were invited to attend its meetings, and supply such information on topographical or other local details as might be required.

In the discussion that ensued, the experience of Germany during the recent cholera epidemic, as to the pollution of rivers in resort for domestic water supplies, was carefully considered. The Sub-Committee decided that between the circumstances of the Suez Canal, with its salt and brackish water and arid shores, and those of the Sulina channel with a population drinking the fresh water from the river, no parallel could be drawn as regards the transit "in quarantine" by possibly infected vessels. Thereupon a set of Rules resting on an entirely different basis was drawn up, and submitted to the Third Committee.

The measures in question relate exclusively to vessels arriving from infected ports. They are, in substance, as follows :—

All ships of that category reaching the mouth of the Danube to be subjected to daily medical inspection for a period which, in the absence of any occurrence of cholera on board, shall not exceed three days; all infected linen to be disinfected; certain securities to be taken in regard to the ship's drinking water and bilge water. Further, these and other allied precautions are to be carried out, and eventually repeated, according to the state of health on board, at sanitary stations to be established up the river; while all vessels ascending the Danube from Sulina must comply with certain general regulations, such as the avoidance of overcrowding, &c., which aim at the maintenance of a reasonable standard of healthiness on board.

This scheme, being laid before the Third Committee, and some amendments of small importance having been adopted, was accepted by the Delegates of Russia and Roumania. Its conclusions were approved by the Committee, and recommended to the full Conference, which thereupon passed them by an unanimous vote. Such was the solution of that which at one time promised to be one of the most difficult problems of the "Interrogatory;" its attainment was chiefly due to the intervention of the scientific Delegates.

We have thus discussed the main conclusions adopted by the Conference, and embodied in the Convention. Some of them involve restrictions in excess of that which, according to English experience, is necessary, or even desirable, for the prevention of cholera. But, as regards land and maritime traffic generally, they approach more closely to our English standard than any rules that have ever before been accepted, or even suggested, at any similar international gathering; they were only adopted by some of the consenting Delegations after repeated argument. Thus it was necessary constantly to point to the baneful influence of restrictions which give a sense of false security, and hinder the adoption of an efficient sanitary administration, which constitutes the only true safeguard against cholera. If the new measures are so carried out as neither to trespass beyond the limits of the spirit or the letter in which they are conceived, some substantial advance in the direction of the freedom of traffic both by land and by sea, and of the maintenance of a higher standard of public health in all the countries represented, will, we venture to hope, have been achieved.

We availed ourselves of every opportunity to limit the restrictions which, under the Convention, may be imposed on vessels to which some suspicion of cholera attaches. The Regulations as to this, as they now stand, may be regarded both as defining a maximum and as permitting a minimum of restrictions. As regards even vessels deemed to be actually infected with cholera, the maximum restriction to which they may be subjected, if they elect to enter a given port, will involve a detention of the hitherto healthy passengers for a period not exceeding five days, as reckoned from the date of the last occurrence of cholera on board. This maximum, which does not necessarily involve the vessel itself, compares most favourably with the length of

detention to which both vessels and passengers have hitherto been subjected in many foreign ports. The minimum of restrictions, which is held to be obligatory, in the case of vessels actually infected, complies, with one exception only, namely, that relating to that which is in effect a quarantine of "observation" as applied to healthy persons landing from infected ships, with the restrictions which it has long been deemed necessary to apply to such vessels arriving in English ports. And it thus happens that, subject to our reserve in the matter named, the adoption by England of the conclusions arrived at will involve no alteration whatever in the cholera Regulations under which our ports are at present administered.

It must also be remembered that the number of British ships which, by reason of their having recently had cholera on board, would come within the restrictions applicable under the Convention to (1) infected vessels or to (2) suspected vessels, must be extremely small; whereas vessels held to be (3) "indemnes," will, notwithstanding the fact that they may have come from an infected port, immediately receive free pratique.

It will be observed that only three classes of vessels are referred to in the Convention, namely the "infectés," "suspects," and "indemnes," all of which have some relation to cholera either on board or in the ports from which they have sailed. It was not thought necessary by the Conference in any way to refer to vessels that were in no way related to any occurrence of cholera, it being assumed that since the conclusions arrived at were concerned with cholera only, no other vessels than those specified could be regarded as in any way coming within any of the restrictions allowed by the Convention. This view was assented to, but, notwithstanding, we thought it advisable to make a definite statement, which is included in the proceedings of the last sitting of the Conference, to the effect that it must obviously be assumed that no vessels other than those having had cholera on board, or having come from an infected port, would fall under any of the provisions of the Convention.

As we have already pointed out, the Convention offers advantages as regards the landing of merchandize which we trust will tend to free our commerce from some of the vexatious restrictions to which it has hitherto been so often subjected. It constitutes a considerable advance towards freedom from unnecessary restrictions. Though the Representatives of certain Powers felt it their duty to adopt an attitude of opposition to the progress involved, it is noteworthy that they often did so in an apologetic tone: some of them expressing a hope that before long their own Governments would find it possible to follow the majority of Powers represented at the Conference. On no single occasion was any proposal made to maintain quarantine in its more stringent form.

The Convention, which we have now the honour to submit to your Lordship's consideration, was signed by the Delegates of the following countries, acting as Plenipotentiaries, namely: Germany, Austria-Hungary, Belgium, France, Italy, Russia, Switzerland, Luxemburg, Montenegro, and the Netherlands.

We also have the honour to inclose a copy of the "Protocole de Signature," recording the final declarations of the various Delegations in regard to the Convention. In that Protocol we renewed the reserve we had already expressed, stating that in the United Kingdom no "observation" of healthy persons leaving infected ships will extend beyond a medical supervision carried out in their homes. No exception was taken to this reservation.

We also made a statement, for insertion in the "Protocole de Signature," that we would submit the Convention to the consideration of Her Majesty's Government.

The announcement that the Convention was not to be at once signed on behalf of Her Majesty's Government produced a certain feeling of disappointment among our foreign colleagues, the more so as many of its provisions had been specially framed to meet our views; we therefore explained that our instructions did not admit of our taking this step, as the final text of the instrument had not been settled in time to allow of our referring it to your Lordship. Under the circumstances, however, we felt ourselves justified in expressing our personal satisfaction at the great advance which had been made, and, generally, at the provisions of the Convention. Looking to the terms of this instrument, we trust that we have in some measure attained the object which Her Majesty's Government had in view in appointing us to act as their Representatives at the Dresden Conference.

We have, &c.

(Signed)

GEORGE STRACHEY.
R. THORNE THORNE.
H. FARNALL.

Inclosure 1 in No. 7.

CONFÉRENCE SANITAIRE INTERNATIONALE DE DRESDE.

Protocole de Signature.—Séance du 15 Avril, 1893.

Présidence de son Excellence M. le Comte DE DÖNHOF.

L'AN 1893, le 15 Avril, à 11 heures du matin, la Conférence Sanitaire Internationale s'est réunie, en séance plénière, à l'hôtel du Ministère des Affaires Étrangères.

Étaient présents :

POUR L'ALLEMAGNE :

Délégués—

- Son Excellence M. le Comte Charles de Dönhoff, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Prusse à Dresde ;
- M. Hopf, Conseiller Intime Supérieur de Régence au Département Impérial de l'Intérieur ;
- M. le Chevalier de Landmann, Conseiller Supérieur de Régence au Ministère Royal de l'Intérieur de Bavière ;
- M. de Criegern, Conseiller Intime de Régence au Ministère Royal de l'Intérieur de Saxe ;
- M. le Dr. Koch, Professeur à l'Université Royale de Berlin, Conseiller Intime de Médecine, Membre Extraordinaire de l'Office Sanitaire Impérial ;
- M. le Dr. Lehmann, Conseiller Impérial de Légation au Département des Affaires Étrangères.

POUR L'AUTRICHE-HONGRIE :

Délégués—

- M. Hengelmüller de Hengervár, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur d'Autriche et Roi Apostolique de Hongrie ;
- M. le Chevalier Charles de Gsiller, Consul-Général Impérial et Royal, Délégué à la Commission Européenne du Danube.

POUR L'AUTRICHE :

- M. le Dr. Kusý, Conseiller Impérial et Royal au Ministère de l'Intérieur ;
- M. de Ebner, Conseiller de Section au Ministère Impérial et Royal du Commerce.

POUR LA HONGRIE :

- M. le Dr. Alexandre de Faschó-Moys, Conseiller au Ministère Royal de l'Intérieur ;
- M. Charles de Vajkay, Ingénieur Supérieur des Chemins de Fer Royaux de l'État Hongrois.

POUR LA BELGIQUE :

Délégué—

- M. E. Beco, Secrétaire-Général du Ministère Royal de l'Agriculture, de l'Industrie, et des Travaux Publics.

POUR LE DANEMARK :

Délégué—

- M. de Lövenörn, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Danemark à Vienne.

POUR L'ESPAGNE :

Délégué—

M. Ramirez de Villa-Urrutia, Ministre Résident de Sa Majesté Catholique à La Haye.

POUR LA FRANCE :

Délégués—

M. Barrère, Ministre Plénipotentiaire de première classe, Chargé d'Affaires de France à Munich ;

M. le Professeur Brouardel, Doyen de la Faculté de Médecine de Paris, Membre de l'Institut, Président du Comité Consultatif d'Hygiène Publique ;

M. le Professeur Proust, Membre de l'Académie de Médecine, Inspecteur-Général des Services Sanitaires.

POUR LA GRANDE-BRETAGNE :

Délégués—

M. Strachey, Ministre Résident de Sa Majesté Britannique à Dresde ;

M. le Dr. R. Thorne Thorne, Chef de la Section Médicale du Local Government Board :

Délégué-Adjoint—

M. H. Farnall, Secrétaire au Foreign Office.

POUR LA GRÈCE :

Délégués—

M. Antonopoulos, Chargé d'Affaires de Sa Majesté le Roi des Hellènes à Berlin et à Dresde ;

M. le Dr. Vafiadès, Délégué au Conseil Sanitaire à Constantinople.

POUR L'ITALIE :

Délégués—

M. le Comte Curtopassi, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi d'Italie ;

M. le Dr. Pagliani, Professeur d'Hygiène à la Faculté de Médecine, Directeur de la Santé Publique au Ministère de l'Intérieur.

POUR LE LUXEMBOURG :

Délégué—

M. le Comte de Villers, Chargé d'Affaires de Son Altesse Royale le Grand-Duc de Luxembourg à Berlin.

POUR LE MONTÉNÉGRO :

Délégué—

M. Hengelmüller de Hengervár, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur d'Autriche et Roi Apostolique de Hongrie.

POUR LES PAYS-BAS :

Délégués—

M. L. H. Ruyssenaers, Ministre Résident de Sa Majesté la Reine des Pays-Bas ;

M. le Dr. W. P. Ruysch, Conseiller au Ministère de l'Intérieur.

POUR LE PORTUGAL :

Délégué—

M. le Comte de Selir, Chargé d'Affaires de Sa Majesté Très-Fidèle à Berlin.

POUR LA ROUMANIE :

Délégué—

M. Grégoire Ghika, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Roumanie à Berlin.

POUR LA RUSSIE :

Délégués—

Son Excellence M. Yonine, Conseiller Privé au service de Sa Majesté l'Empereur de Toutes les Russies, Envoyé Extraordinaire et Ministre Plénipotentiaire ;
M. Ivanow, Conseiller d'État Actuel, Attaché au Ministère des Finances.

POUR LA SERBIE :

Délégué—

M. Ivan Pavlovitch, Chargé d'Affaires de Sa Majesté le Roi de Serbie à Berlin.

POUR LA SUÈDE ET LA NORVÈGE :

Délégué—

M. de Lagerheim, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Suède et de Norvège.

POUR LA CONFÉDÉRATION SUISSE :

Délégués—

M. le Colonel Roth, Docteur en Droit, Envoyé Extraordinaire et Ministre Plénipotentiaire de la Confédération Suisse à Berlin ;
M. le Dr. F. Schmid, Chef du Bureau Sanitaire Fédéral.

POUR LA TURQUIE :

Délégués—

Son Excellence le Général Bonkowski Pacha, Chimiste-en-chef de Sa Majesté Impériale le Sultan, Inspecteur-Général de la Salubrité de l'Empire Ottoman ;
Le Dr. O. Vitalis Effendi, Membre du Conseil Supérieur de Santé de l'Empire Ottoman, Inspecteur du Service Sanitaire ;
Son Excellence le Général Dr. Nouri Pacha, Membre du Conseil Supérieur de Santé de l'Empire Ottoman.

Le Président présente à la Conférence le texte authentique du projet de Convention où sont consignés les résultats des travaux de la Conférence. Il invite les Délégués, qui sont munis des pouvoirs nécessaires, à signer cette Convention, et prie les autres Délégués de vouloir bien formuler les réserves qu'ils auraient à faire.

MM. les Délégués d'Allemagne, d'Autriche-Hongrie, de Belgique, de France, d'Italie, de Russie, et de Suisse annoncent qu'ils sont en mesure de signer la Convention ; ils déclarent en outre que leurs Gouvernements, en vue d'un retour de l'épidémie cholérique, et, autant que cela leur sera possible, n'attendront pas les délais de ratification pour appliquer, en ce qui les concerne, les dispositions de la Convention.

Pour compléter cette déclaration en ce qui les concerne, *MM. les Délégués de Suisse* annoncent qu'avec l'autorisation du Conseil Fédéral ils retirent la réserve qu'ils avaient faite, et qui est consignée au Protocole No. 9.

MM. les Délégués de Luxembourg, de Monténégro, et des Pays-Bas déclarent qu'ils sont en mesure de signer également la Convention.

La Conférence prend acte de ces déclarations.

MM. les Délégués de Danemark et de Suède et de Norvège déclarent prendre le projet de Convention *ad referendum* et s'engagent à en recommander l'adoption à leurs Gouvernements respectifs.

La Conférence prend acte de cette déclaration.

M. le Premier Délégué d'Espagne déclare qu'il prend le projet de Convention *ad referendum* et avec les réserves que la Délégation Espagnole a cru devoir faire lors de la discussion générale (Protocole No. 4) et plus spécialement à la séance du 8 Avril (Protocole No. 9) au sujet des mesures de police sanitaire maritime, que l'Espagne n'est pas encore en état d'adopter. Il espère qu'en lui donnant acte de ces réserves, qui l'empêchent de signer la Convention, la Conférence ne les interprétera pas comme un refus de la part de l'Espagne de s'associer, dans la mesure du possible, à l'œuvre d'humanité et de progrès commencée à Venise et continuée à Dresde avec autant de zèle que de succès.

La Conférence prend acte de cette déclaration.

MM. les Délégués de la Grande-Bretagne font la déclaration suivante :—

Dans le Royaume-Uni il suffit, selon leur opinion, que les personnes bien portantes qui arrivent à bord d'un navire infecté soient soumises à une surveillance médicale à domicile.

Ils demandent que la Conférence leur donne acte de cette déclaration.

Ils ajoutent qu'ils ne sont pas munis des pouvoirs nécessaires pour signer la Convention ; mais, sous le bénéfice de la déclaration qu'ils viennent de faire, ils se chargent de soumettre cet acte immédiatement à leur Gouvernement.

La Conférence prend acte de ces déclarations.

La Délégation Hellénique n'est pas en mesure de signer la Convention. Elle réserve, toutefois, à son Gouvernement la faculté d'y adhérer en tout ou en partie si, bien entendu, les Puissances Signataires y consentent.

La Conférence prend acte de cette déclaration.

M. le Délégué de Portugal déclare qu'il prend le projet de Convention *ad referendum*, tout en renonçant les réserves qui figurent dans les Protocoles ainsi que dans les procès-verbaux, et dont la principale se réfère aux mesures jugées nécessaires par son Gouvernement pour empêcher l'entrée du choléra sur le territoire Portugais.

La Conférence prend acte de cette déclaration.

M. le Premier Délégué de Roumanie déclare qu'il a adhéré aux propositions successivement adoptées par la Conférence, mais *ad referendum* sous le bénéfice des déclarations et explications et sous les réserves consignées dans les Protocoles et dans les procès-verbaux.

Son Gouvernement n'ayant pas encore eu le temps de s'éclairer d'une manière complète sur l'ensemble de l'œuvre de la Conférence et sur la portée pratique, en ce qui le concerne, de toutes ses conséquences, le Délégué de Roumanie n'est pas en mesure de signer dès à présent la Convention.

La Conférence prend acte de cette déclaration.

M. le Délégué de Serbie déclare qu'il prend le projet de Convention *ad referendum* sous la réserve déjà antérieurement formulée et consignée aux Protocoles de la Conférence, que la Serbie, étant obligée de tenir compte de ce qui sera fait par ses voisins, ne saurait renoncer aux quarantaines terrestres tant que les pays limitrophes de la Serbie les maintiendront de leur côté.

La Conférence prend acte de cette déclaration.

MM. les Délégués Ottomans, au nom de leur Gouvernement, déclarent qu'ils sont autorisés à accéder à la Convention *ad referendum* et sous le bénéfice des réserves qu'ils ont faites dans les Protocoles et dans les procès-verbaux ainsi qu'à l'occasion des votes et ils prient la Conférence de leur en donner acte.

La Conférence prend acte de cette déclaration.

La Conférence décide que le Protocole d'adhésion à la Convention pour les Puissances dont les Représentants ne peuvent y apposer leur signature restera ouvert pendant un espace de trois mois.

Il est entendu d'un commun accord que les pays qui n'ont pas pris part à la Conférence pourront, sur leur demande, accéder dans les formes habituelles à la Convention et ses Annexes.

Sous le bénéfice de ces déclarations la Convention est signée par les Délégués munis des pouvoirs nécessaires.

En foi de quoi les Soussignés, Délégués à la Conférence Sanitaire Internationale de Dresde, ont signé le présent Protocole auquel une copie authentique de la Convention sera annexée.

(L.S.)

Comte CHS. DE DÖNHOF.
 HOFF.
 LANDMANN.
 v. CRIEGER.
 R. KOCH.
 LEHMANN.
 HENGELMÜLLER.
 GSILLER.
 DR. EM. KUSÝ.
 EBNER.
 FASCHÓ-MOYS.
 VAJKAY.
 E BECO.
 DE LÖVENÖRN.
 M. R. DE VILLA-URRUTIA.
 CAMILLE BARRÈRE.
 P. BROUARDEL.
 A. PROUST.
 G. STRACHEY.
 R. THORNE THORNE.
 H. FARNALL.
 S. ANTONOPOULOS.
 DR. A. VAFIADÈS
 Comte CURTOPASSI.
 L. PAGLIANI.
 H. DE VILLERS.
 HENGFLMÜLLER.
 L. H. RUYSSENAERS.
 DR. RUYSCH.
 Comte DE SELIR.
 GR. J. GHKA.
 YONINE.
 L. IVANOW.
 IVAN PAVLOVITCH.
 LAGERHEIM.
 ROTH.
 DR. SCHMID.
 BONKOWSKI.
 DR. O. VITALIS
 DR. NOURI.

Certifié conforme à l'original :

Le Président :

(Signé) Comte CHS. DE DÖNHOF.

Les Secrétaires :

(Signé) Baron DE FRIESEN.

MAX STÄVIE.

HENRY ALLIZÉ.

Comte N. SZÉCSÉN.

Comte E. D'ARCO VALLEY.

(Translation.)

INTERNATIONAL SANITARY CONFERENCE OF DRESDEN.

Protocol of Signature.—April 15, 1893.

President, his Excellency Count von DÖNHOF.

ON the 15th day of April, 1893, at 11 o'clock in the forenoon, the International Sanitary Conference met *in pleno* at the Office of the Ministry for Foreign Affairs.

Were present :

FOR GERMANY :

Delegates—

- His Excellency Count Charles von Dönhoff, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Prussia at Dresden ;
- M. Hopf, Superior Privy Councillor of Government in the Imperial Home Department ;
- The Chevalier von Landmann, Superior Privy Councillor of Government in the Bavarian Ministry of the Interior ;
- M. von Criegern, Privy Councillor of Government in the Saxon Ministry of the Interior ;
- Dr. Koch, Professor at the Royal University of Berlin, Privy Councillor of Medicine, an Extraordinary Member of the Imperial Health Department ;
- Dr. Lehmann, Imperial Councillor of Legation in the Foreign Department.

FOR AUSTRIA-HUNGARY :

Delegates—

- M. Hengelmüller de Hengervár, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Austria and Apostolic King of Hungary ;
- The Chevalier Charles de Gsiller, Imperial and Royal Consul-General, Delegate to the European Commission of the Danube.

FOR AUSTRIA :

- Dr. Kusý, Imperial and Royal Councillor in the Ministry of the Interior ;
- M. von Ebner, Sectional Councillor in the Imperial and Royal Ministry of Commerce.

FOR HUNGARY :

- Dr. Alexander Faschó-Moys, Councillor in the Royal Ministry of the Interior ;
- M. Charles Vajkay, Superior Engineer of the Royal Hungarian State Railways.

FOR BELGIUM :

Delegate—

- M. E. Beco, Secretary-General in the Ministry of Agriculture, Industry, and Public Works.

FOR DENMARK :

Delegate—

- M. de Lövenörn, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Denmark at Vienna.

FOR SPAIN :

Delegate—

Señor Ramirez de Villa-Urrutia, Minister Resident of His Catholic Majesty at the Hague.

FOR FRANCE :

Delegates—

M. Barrère, Minister Plenipotentiary of the First Class, Chargé d'Affaires for France at Munich;

Professor Brouardel, Dean of the Faculty of Medicine at Paris, Member of the Institute, President of the Consultative Committee of Public Health;

Professor Proust, Member of the Academy of Medicine, Inspector-General of Sanitary Services.

FOR GREAT BRITAIN :

Delegates—

Mr. Strachey, Minister Resident of Her Britannic Majesty at Dresden;

Dr. R. Thorne Thorne, Principal Medical Officer of the Local Government Board.

Assistant Delegate—

Mr. H. Farnall, of the Foreign Office.

FOR GREECE :

Delegates—

M. Antonopoulos, Chargé d'Affaires of His Hellenic Majesty at Berlin and Dresden;

Dr. Vafiadès, Delegate to the Sanitary Board at Constantinople.

FOR ITALY :

Delegates—

Count Curtopassi, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Italy;

Dr. Pagliani, Professor of Hygiene in the Faculty of Medicine, Director of the Department of Public Health in the Ministry of the Interior.

FOR LUXEMBURG :

Delegate—

Count de Villers, Chargé d'Affaires at Berlin for His Royal Highness the Grand Duke of Luxemburg.

FOR MONTENEGRO :

Delegate—

M. Hengelmüller de Hengervár, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Austria and Apostolic King of Hungary.

FOR THE NETHERLANDS :

Delegates—

M. L. H. Ruyssenaers, Minister Resident of Her Majesty the Queen of the Netherlands;

Dr. W. P. Ruysch, Councillor to the Minister of the Interior.

FOR PORTUGAL :

Delegate—

The Count de Selir, Chargé d'Affaires at Berlin of His Most Faithful Majesty.

FOR ROUMANIA :

Delegate—

M. Grégoire Ghika, Envoy Extraordinary and Minister Plenipotentiary at Berlin of His Majesty the King of Roumania.

FOR RUSSIA :

Delegates—

His Excellency M. Yonine, Privy Councillor in the service of His Majesty the Emperor of All the Russias, Envoy Extraordinary and Minister Plenipotentiary ;
M. Ivanow, Councillor of State, attached to the Ministry of Finance.

FOR SERVIA :

Delegate—

M. Ivan Pavlovitch, Chargé d'Affaires at Berlin of His Majesty the King of Servia.

FOR SWEDEN AND NORWAY :

Delegate—

M. de Lagerheim, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Sweden and Norway.

FOR THE SWISS CONFEDERATION :

Delegates—

Colonel Roth, Doctor of Laws, Envoy Extraordinary and Minister Plenipotentiary at Berlin for the Swiss Confederation ;
Dr. F. Schmid, Head of the Federal Sanitary Department.

FOR TURKEY :

Delegates—

His Excellency General Bonkowski Pasha, Head Chemist to His Imperial Majesty the Sultan, Inspector-General of Health for the Ottoman Empire ;
Dr. O. Vitalis Effendi, Member of the Superior Council of Health of the Ottoman Empire, Inspector of the Sanitary Service ;
His Excellency General Dr. Nouri Pasha, Member of the Superior Council of Health of the Ottoman Empire.

The President lays before the Conference the authentic text of the draft Convention recording the results of the labours of the Conference. He requests those of the Delegates who are furnished with the necessary powers to sign the Convention, and requests the other Delegates to state any reservations they may have to make.

The Delegates of Germany, Austro-Hungary, Belgium, France, Italy, Russia, and Switzerland announce that they are able to sign the Convention ; they add that their Governments, in view of a possible return of the cholera epidemic, and in so far as they may be able to do so, and so far concerns each individually, will not await the ratification of the Convention before putting its provisions into force.

In completion of this declaration, *the Delegates of Switzerland* announce that they are authorized by the Federal Council to withdraw the declaration which they had made, and which is recorded in the Minutes of the ninth meeting.

The Delegates of Luxemburg, Montenegro, and the Netherlands announce that they are able to sign the Convention.

The Conference takes note of these declarations.

The Delegates of Denmark, and of Sweden and Norway, announce that they accept the Convention *ad referendum*, and undertake to recommend it to their several Governments for adoption.

The Conference takes note of this declaration.

The First Delegate of Spain announces that he accepts the Convention *ad referendum* and with the reservations which the Spanish Delegates have been obliged to make during the general discussion (Protocol No. 4) and specially at the meeting of the 8th April (Protocol No. 9) respecting measures of maritime sanitary police which Spain is not yet able to adopt. He trusts that the Conference, in recording these reservations, which prevent him from signing the Convention, will not interpret them as a refusal on the part of Spain to join, as far as possible, in the labour of humanity and progress, begun at Venice and continued at Dresden with as much zeal as success.

The Conference takes note of this declaration.

The Delegates of Great Britain make the following declaration:—

In the United Kingdom, it will, in their opinion, be sufficient for healthy persons from infected ships to be subject to medical supervision in their own homes.

They request the Conference to take note of this declaration.

They add that they are not furnished with the powers necessary for signing the Convention; but, subject to the declaration they have made they undertake to submit the Convention immediately to their Government.

The Conference takes note of these declarations.

The Hellenic Delegates are not able to sign the Convention. They reserve to their Government the right to accede to it, in whole or in part, if the Signatory Powers agree to such a course.

The Conference takes note of this declaration.

The Delegate of Portugal announces that he takes the draft Convention *ad referendum* and renews the reservations recorded in the Protocols and Minutes, the most important of which relates to the measures held by his Government to be necessary for preventing cholera from entering Portugal.

The Conference takes note of this declaration.

The First Delegate of Roumania announces that he accedes to the various proposals adopted by the Conference, but only *ad referendum*, and subject to the declarations and explanations and subject to the reservations recorded in the Protocols and Minutes.

His Government not having yet had time to obtain complete information on the work of the Conference as a whole and on the practical bearing, as concerns Roumania, of the consequences of that work, the Delegate of Roumania is not able to sign the Convention at the present moment.

The Conference takes note of this declaration.

The Delegate of Servia announces that he accepts the Convention *ad referendum* under the reservation already stated and recorded in the Protocols of the Conference, namely, that Servia being obliged to allow for the action of her neighbours, cannot give up land quarantines as long as the countries bordering on Servia maintain them.

The Conference takes note of this declaration.

The Ottoman Delegates declare, in the name of their Government, that they are authorized to accede to the Convention *ad referendum* and subject to the reservations made in the Protocols and Minutes and on voting, and they request the Conference to take note of this declaration.

The Conference takes note of this declaration.

The Conference decides that the Protocol of adhesion to the Convention shall, in the case of Powers whose Representatives cannot now sign it, remain open during three months.

It is agreed that countries that have not taken part at the Conference may, on applying for permission so to do, accede to the Convention and its Annexes in the usual form.

Under the reservations announced, the Convention is signed by the Delegates furnished with the requisite powers.

In faith whereof the Undersigned, Delegates to the International Sanitary Conference of Dresden, have signed the present Protocol, to which will be annexed an authentic copy of the Convention.

(L.S.)

Comte CHS. DE DÖNHOFF.
 HOPF.
 LANDMANN.
 v. CRIEGERN.
 R. KOCH.
 LEHMANN.
 HENGELMÜLLER.
 GSILLER.
 DR. EM. KUSÝ.
 EBNER.
 FASCHÓ-MOYS.
 VAJKAY.
 E. BECO.
 DE LÖVENÖRN.
 M. R. DE VILLA-URRUTIA.
 CAMILLE BARRÈRE.
 P. BROUARDEL.
 A. PROUST.
 G. STRACHEY.
 R. THORNE THORNE.
 H. FARNALL.
 S. ANTONOPOULOS.
 DR. A. VAFIADÈS.
 Comte CURTOPASSI.
 L. PAGLIANI.
 H. DE VILLERS.
 HENGELMÜLLER.
 L. H. RUYSSENAERS.
 DR. RUYSCH.
 Comte DE SELIR.
 GR. J. GHIKA.
 YONINE.
 L. IVANOW.
 IVAN PAVLOVITCH.
 LAGERHEIM.
 ROTH.
 DR. SCHMID.
 BONKOWSKI.
 DR. O. VITALIS.
 DR. NOURI.

True copy :

The President :

(Signed) Comte CHS. DE DÖNHOFF.

The Secretaries :

(Signed) Baron DE FRIESEN.

MAX STÄVIE.

HENRY ALLIZÉ.

Comte N. SZÉCSÉN.

Comte E. D'ARCO VALLEY.

Inclosure 2 in No. 7.

Convention.

SA Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand ;
 Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., &c., et Roi Apostolique de
 Hongrie ; Sa Majesté le Roi des Belges ; le Président de la République Française ; Sa
 Majesté le Roi d'Italie ; Son Altesse Royale le Grand-Duc de Luxembourg ; Son Altesse
 le Prince de Monténégro ; Sa Majesté la Reine des Pays-Bas et en son nom la Reine-

Régente du Royaume ; Sa Majesté l'Empereur de Toutes les Russies ; le Conseil Fédéral Suisse,

Ayant décidé d'établir des mesures communes pour sauvegarder la santé publique en temps d'épidémie cholérique, sans apporter d'entraves inutiles aux transactions commerciales et au mouvement des voyageurs, ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand, M. le Comte Charles de Dönhoff, son Conseiller Intime Actuel et son Envoyé Extraordinaire et Ministre Plénipotentiaire à Dresde ; M. Hopf, son Conseiller Intime Supérieur de Régence au Département de l'Intérieur ; M. le Chevalier de Landmann, Conseiller Supérieur de Régence au Ministère Royal de l'Intérieur de Bavière ; M. de Criegern, Conseiller Intime de Régence au Ministère Royal de l'Intérieur de Saxe ; M. le Dr. Koch, Professeur à l'Université Royale de Berlin, son Conseiller Intime de Médecine, Membre Extraordinaire de l'Office Sanitaire Impérial ; M. le Dr. Lehmann, son Conseiller de Légation au Département des Affaires Étrangères.

Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., &c., et Roi Apostolique de Hongrie, M. Hengelmüller de Hengervár, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Rio-de-Janeiro ; M. le Chevalier de Gsiller, son Consul-Général, Délégué à la Commission Européenne du Danube ; M. le Chevalier Dr. Kusý, Conseiller au Ministère de l'Intérieur à Vienne ; M. le Dr. Alexandre de Faschó-Moys, Conseiller au Ministère Royal Hongrois de l'Intérieur à Budapest ; M. de Ebner, Conseiller de Section au Ministère Impérial Royal du Commerce à Vienne ; M. Charles de Vajkay, Ingénieur Supérieur des Chemins de Fer de l'État Hongrois.

Sa Majesté le Roi des Belges, M. E. Beco, son Secrétaire-Général du Ministère de l'Agriculture, de l'Industrie, et des Travaux Publics.

Le Président de la République Française, M. Camille Barrère, Ministre Plénipotentiaire de première classe, Chargé d'Affaires de France à Munich ; M. le Professeur Brouardel, Doyen de la Faculté de Médecine de Paris, Membre de l'Institut, Président du Comité Consultatif d'Hygiène Publique ; M. le Professeur Proust, Membre de l'Académie de Médecine, Inspecteur-Général des Services Sanitaires.

Sa Majesté le Roi d'Italie, M. le Comte Curtopassi, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Bucharest ; le Commandeur Pagliani, Professeur d'Hygiène à la Faculté de Médecine, Directeur de la Santé Publique au Ministère de l'Intérieur.

Son Altesse Royale le Grand-Duc de Luxembourg, M. le Comte H. E. V. de Villers, son Chargé d'Affaires à Berlin.

Son Altesse le Prince de Monténégro, M. Hengelmüller de Hengervár, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur d'Autriche et Roi Apostolique de Hongrie.

Sa Majesté la Reine des Pays-Bas et en son nom la Reine-Régente du Royaume, M. L. H. Ruysenaers, son Ministre Résident ; M. le Dr. Ruysch, Conseiller au Ministère de l'Intérieur.

Sa Majesté l'Empereur de Toutes les Russies, M. Yonine, son Conseiller Privé et son Envoyé Extraordinaire et Ministre Plénipotentiaire.

Le Conseil Fédéral Suisse, M. le Colonel Dr. Roth, Envoyé Extraordinaire et Ministre Plénipotentiaire de la Confédération Suisse près l'Empire Allemand ; M. le Dr. F. Schmid, Chef du Bureau Sanitaire Fédéral.

Lesquels, ayant échangé leurs pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :—

I.

En ce qui concerne la Prophylaxie Internationale applicable aux Voyageurs et aux Marchandises.

Seront appliquées désormais les mesures indiquées et précisées dans l'Annexe 1 de la présente Convention,

II.

En ce qui touche le Régime Sanitaire de l'Embouchure du Danube (Bouche de Soulina).

Sont adoptées les dispositions consignées dans l'Annexe 2.

III.

Les pièces ci-annexées ont la même valeur que si elles étaient incorporées dans la présente Convention.

IV.

La présente Convention aura une durée de cinq ans à partir de la date de la ratification. Elle sera renouvelée de cinq en cinq ans par tacite reconduction, sauf dénonciation, dans une période de six mois avant l'expiration de ce terme, par l'une des Hautes Parties Contractantes.

La dénonciation ne produira son effet qu'à l'égard du ou des pays qui l'auront notifiée. La Convention restera exécutoire pour les autres États. Les Hautes Parties Contractantes se réservent également la faculté de provoquer, par la voie des négociations diplomatiques, les modifications qu'elles jugeraient nécessaires d'introduire dans la Convention et ses Annexes.

La présente Convention sera ratifiée ; les ratifications en seront échangées ou déposées à Berlin le plus tôt possible et au plus tard dans le délai de six mois à dater du 15 Avril, 1893.

En foi de quoi les Plénipotentiaires respectifs l'ont signée et y ont apposé leurs cachets.

Fait en dix exemplaires, à Dresde, le 15 Avril, 1893.

(L.S.)	Comte CHS. DE DÖNHOF.
(L.S.)	HOPF.
(L.S.)	ROBERT VON LANDMANN.
(L.S.)	FRIEDRICH VON CRIEGER.
(L.S.)	R. KOCH.
(L.S.)	LEHMANN.
(L.S.)	HENGELMÜLLER.
(L.S.)	GSILLER.
(L.S.)	DR. EM. KUSÝ.
(L.S.)	FASCHÓ-MOYS.
(L.S.)	EBNER.
(L.S.)	VAJKAY.
(L.S.)	E. BECO.
(L.S.)	CAMILLE BARRÈRE.
(L.S.)	P. BROUARDEL.
(L.S.)	A. PROUST.
(L.S.)	Comte CURTOPASSI.
(L.S.)	L. PAGLIANI.
(L.S.)	H. DE VILLERS.
(L.S.)	HENGELMÜLLER.
(L.S.)	L. H. RUYSSENAERS.
(L.S.)	DR. RÜYSCH.
(L.S.)	YONINE.
(L.S.)	ROTH.
(L.S.)	DR. SCHMID.

Certifié conforme à l'original :

Le Président :

(Signé) Comte CHS. DE DÖNHOF.

Les Secrétaires :

(Signé) Baron DE FRIESEN,

MAX STÄVIE.

HENRY ALLIZÉ.

Comte N. SZÉCSÉN.

Comte E. D'ARCO VALLEY.

ANNEXES À LA CONVENTION.

Annexe 1.

Titre 1.—*Mesures destinées à tenir les Gouvernements Signataires de la Convention au courant de l'état d'une Épidémie de Choléra, ainsi que des moyens employés pour éviter sa Propagation et son Importation dans les Endroits indemnes.*

—————

Notification et Communications ultérieures.

LE Gouvernement du pays contaminé doit notifier aux divers Gouvernements l'existence d'un foyer cholérique. Cette mesure est essentielle.

Elle n'aura de valeur réelle que si celui-ci est prévenu lui-même des cas de choléra et des cas douteux survenus sur son territoire. On ne saurait donc trop recommander aux divers Gouvernements la déclaration obligatoire des cas de choléra par les médecins.

L'objet de la notification sera l'existence d'un foyer cholérique, l'endroit où il s'est formé, la date du début de ce foyer, le nombre des cas constatés cliniquement et celui des décès. Les cas restés isolés ne feront pas nécessairement l'objet d'une notification.

La notification sera faite aux Agences Diplomatiques ou Consulaires dans la capitale du pays contaminé. Pour les pays qui n'y sont pas représentés, la notification sera faite directement par télégraphe aux Gouvernements étrangers.

Cette première notification sera suivie de communications ultérieures données d'une façon régulière de manière à tenir les Gouvernements au courant de la marche de l'épidémie. Ces communications se feront au moins une fois par semaine.

Les renseignements sur le début et sur la marche de la maladie devront être aussi complets que possible. Ils indiqueront plus particulièrement les mesures prises en vue de combattre l'extension de l'épidémie. Ils devront préciser les mesures prophylactiques adoptées relativement :—

A l'inspection sanitaire ou à la visite médicale,
A l'isolement,
A la désinfection,

et les mesures prescrites au point de vue du départ des navires et de l'exportation des objets susceptibles.

Il est entendu que les pays limitrophes se réservent de faire des arrangements spéciaux en vue d'organiser un service d'informations directes entre les chefs des Administrations des frontières.

Le Gouvernement de chaque État sera tenu de publier immédiatement les mesures qu'il croit devoir prescrire au sujet des provenances d'un pays ou d'une circonscription territoriale contaminée.*

Il communiquera aussitôt cette publication à l'Agent Diplomatique ou Consulaire du pays contaminé, résidant dans sa capitale. A défaut d'Agence Diplomatique ou Consulaire dans la capitale, la communication se fera directement au Gouvernement du pays intéressé.

Il sera tenu également de faire connaître par les mêmes voies le retrait de ces mesures ou les modifications dont elles seraient l'objet.

Titre 2.—*Conditions dans lesquelles une Circonscription Territoriale doit être considérée comme contaminée ou saine.*

Est considérée comme contaminée toute circonscription où a été constatée officiellement l'existence d'un foyer de choléra.

N'est plus considérée comme contaminée toute circonscription dans laquelle un foyer a existé, mais où, après constatation officielle, il n'y a eu ni décès, ni cas nouveau de choléra depuis cinq jours, à condition que les mesures de désinfection nécessaires aient été exécutées.

* On entend par le mot "circonscription" une partie de territoire d'un pays placée sous une autorité administrative bien déterminée, ainsi : une province, un "gouvernement," un district, un département, un canton, une île, une commune, une ville, un village, un port, un polder, &c., quelles que soient l'étendue et la population de ces portions de territoire.

Les mesures préventives seront appliquées au territoire contaminé à partir du moment où le début de l'épidémie aura été officiellement constaté.

Ces mesures cesseront d'être appliquées dès qu'il aura été officiellement constaté que la circonscription est redevenue saine.

Ne sera pas considéré comme donnant lieu à l'application de ces mesures le fait que quelques cas isolés, ne formant pas foyer, se sont manifestés dans une circonscription territoriale.

Titre 3.—Nécessité de limiter aux Circonscriptions territoriales contaminées les Mesures destinées à empêcher la propagation de l'Epidémie.

Pour restreindre les mesures aux seules régions atteintes, les Gouvernements ne doivent les appliquer qu'aux provenances des circonscriptions contaminées.

Mais cette restriction limitée à la circonscription contaminée ne devra être acceptée qu'à la condition formelle que le Gouvernement du pays contaminé prenne les mesures nécessaires pour prévenir l'exportation des objets susceptibles provenant de la circonscription contaminée.

Quand une circonscription est contaminée aucune mesure restrictive ne sera prise contre les provenances de cette circonscription, si ces provenances l'ont quitté cinq jours au moins avant le début de l'épidémie.

Titre 4.—Marchandises ou Objets susceptibles envisagés au point de vue des défenses d'Importation ou de Transit—et de la Désinfection.

I.—Importation et Transit.

Les seuls objets ou marchandises susceptibles, qui peuvent être prohibés à l'entrée, sont :—

1. Les linges de corps, hardes et vêtements portés (effets à usage) ; les literies ayant servi.

Lorsque ces objets sont transportés comme bagages ou à la suite d'un changement de domicile (effets d'installation), ils ont soumis à un régime spécial.

2. Les chiffons et drilles.

Ne doivent pas être interdits : (a) les chiffons comprimés par la force hydraulique, qui sont transportés comme marchandises en gros, par ballots cerclés de fer et portant des marques et des numéros d'origine acceptés par l'autorité du pays de destination ; (b) les déchets neufs, provenant directement d'ateliers de filature, de tissage, de confection ou de blanchiment ; les laines artificielles ("Kunstwolle," "Shoddy") et les rognures de papier neuf.

Le transit des marchandises ou objets susceptibles, emballés de telle façon qu'ils ne puissent être manipulés en route, ne doit pas être interdit.

De même, lorsque les marchandises ou objets susceptibles sont transportés de telle façon qu'en cours de route, ils n'aient pu être en contact avec des objets souillés, leur transit à travers une circonscription territoriale contaminée ne doit pas être un obstacle à leur entrée dans le pays de destination.

Les marchandises et objets susceptibles ne tomberont pas sous l'application des mesures de prohibition à l'entrée, s'il est démontré à l'autorité du pays de destination qu'ils ont été expédiés cinq jours au moins avant le début de l'épidémie.

Il n'est pas admissible que les marchandises puissent être retenues en quarantaine, aux frontières de terre. La prohibition pure et simple ou la désinfection sont les seules mesures qui puissent être prises.

II.—Désinfection.

Bagages.—La désinfection sera obligatoire pour le linge sale, les hardes, vêtements et objets, qui font partie de bagages ou de mobiliers (effets d'installation), provenant d'une circonscription territoriale déclarée contaminée et que l'autorité Sanitaire locale considérera comme contaminés.

Marchandises.—La désinfection ne sera appliquée qu'aux marchandises et objets que l'autorité Sanitaire locale considérera comme contaminés, ou à ceux dont l'importation peut être défendue.

Il appartient à l'autorité du pays de destination de fixer le mode et l'endroit de la désinfection.

La désinfection devra être faite de manière à ne détériorer les objets que le moins possible.

Il appartient à chaque État de régler la question relative au paiement éventuel de dommages-intérêts résultant d'une désinfection.

Les lettres et correspondances, imprimés, livres, journaux, papiers d'affaires, &c. (non compris les colis-postaux), ne seront soumis à aucune restriction ni désinfection.

Titre 5.—Mesures à prendre aux Frontières terrestres. Service des Chemins de Fer. Voyageurs.

Les voitures affectées au transport des voyageurs, de la poste et des bagages ne peuvent être retenues aux frontières.

S'il arrive qu'une de ces voitures soit souillée, elle sera détachée du train pour être désinfectée, soit à la frontière, soit à la station d'arrêt la plus rapprochée, lorsque la chose sera possible.

Il en sera de même pour les wagons à marchandises.

Il ne sera plus établi de quarantaines terrestres.

Seuls, les malades cholériques et les personnes atteintes d'accidents cholériques peuvent être retenus.

Il importe que les voyageurs soient soumis, au point de vue de leur état de santé, à une surveillance de la part du personnel des chemins de fer.

L'intervention médicale se bornera à une visite des voyageurs et aux soins à donner aux malades.

S'il y a visite médicale, elle sera combinée, autant que possible, avec la visite douanière, de façon que les voyageurs soient retenus le moins longtemps possible.

Dès que les voyageurs venant d'un endroit contaminé seront arrivés à destination, il serait de la plus haute utilité de les soumettre à une surveillance de cinq jours à compter de la date du départ.

Les mesures concernant le passage aux frontières du personnel des chemins de fer et de la poste sont du ressort des Administrations intéressées. Elles seront combinées de façon à ne pas entraver le service régulier.

Les Gouvernements se réservent le droit de prendre des mesures particulières à l'égard de certaines catégories de personnes, notamment envers :

(a.) Les bohémiens et les vagabonds ;

(b.) Les émigrants et les personnes voyageant ou passant la frontière par troupes.

Titre 6.—Régime spécial des Zones-Frontière.

Le règlement du trafic-frontière et des questions inhérentes à ce trafic, ainsi que l'adoption de mesures exceptionnelles de surveillance, doivent être laissés à des arrangements spéciaux entre les États limitrophes.

Titre 7.—Voies Fluviales. Fleuves, Canaux, et Lacs.

On doit laisser aux Gouvernements des États riverains le soin de régler, par des arrangements spéciaux, le régime sanitaire des voies fluviales.

On recommande les Règlements Allemands édictés en 1892, dont l'application a donné de bons résultats.

Titre 8.—Partie Maritime.—Mesures à prendre dans les Ports.

Est considéré comme infecté le navire qui a du choléra à bord ou qui a présenté des cas nouveaux de choléra depuis sept jours.

Est considéré comme *suspect*, le navire à bord duquel il y a eu des cas de choléra au moment du départ ou pendant la traversée, mais aucun cas nouveau depuis sept jours.

Est considéré comme *indemne*, bien que venant d'un port contaminé, le navire qui n'a eu ni décès ni cas de choléra à bord, soit avant le départ, soit pendant la traversée, soit au moment de l'arrivée.

Les navires infectés sont soumis au régime suivant :

1. Les malades sont immédiatement débarqués et isolés ;

2. Les autres personnes doivent être également débarquées, si possible, et soumises à une observation, dont la durée variera selon l'état sanitaire du navire et selon la date du dernier cas, sans pouvoir dépasser cinq jours ;

3. Le linge sale, les effets à usage et les objets de l'équipage et des passagers, qui, de l'avis de l'autorité Sanitaire du port, seront considérés comme contaminés, seront désinfectés, ainsi que le navire ou seulement la partie du navire qui a été contaminée.

Les navires suspects sont soumis aux mesures ci-après :

1. Visite médicale ;

2. Désinfection : le linge sale, les effets à usage et les objets de l'équipage et des passagers, qui, de l'avis de l'autorité Sanitaire locale, seront considérés comme contaminés, seront désinfectés ;

3. Évacuation de l'eau de la cale après désinfection et substitution d'une bonne eau potable à celle qui est emmagasinée à bord.

Il est recommandé de soumettre à une surveillance, au point de vue de leur état de santé, l'équipage et les passagers pendant cinq jours à dater de l'arrivée du navire.

Il est également recommandé d'empêcher le débarquement de l'équipage, sauf pour raisons de service.

Les navires indemnes seront admis à la libre pratique immédiate, quelle que soit la nature de leur patente.

Le seul régime que peut prescrire à leur sujet l'autorité du port d'arrivée, consiste dans les mesures applicables aux navires suspects (visite médicale, désinfection, évacuation de l'eau de cale et substitution d'une bonne eau potable à celle qui est emmagasinée à bord).

Il est recommandé de soumettre à une surveillance, au point de vue de leur état de santé, les passagers et l'équipage pendant cinq jours à compter de la date où le navire est parti du port contaminé.

Il est recommandé également d'empêcher le débarquement de l'équipage, sauf pour raisons de service.

Il est entendu que l'autorité compétente du port d'arrivée pourra toujours réclamer un certificat attestant qu'il n'y a pas eu de cas de choléra sur le navire au port de départ.

L'autorité compétente du port tiendra compte, pour l'application de ces mesures, de la présence d'un médecin et d'un appareil de désinfection (étuve) à bord des navires des trois catégories susmentionnées.

Des mesures spéciales peuvent être prescrites à l'égard des navires encombrés, notamment des navires d'émigrants ou de tout autre navire offrant de mauvaises conditions d'hygiène.

Les marchandises arrivant par mer ne peuvent être traitées autrement que les marchandises transportées par terre, au point de vue de la désinfection et des défenses d'importation, de transit et de quarantaine. (Voir Titre IV.)

Tout navire qui ne voudra pas se soumettre aux obligations imposées par l'autorité du port sera libre de reprendre la mer.

Il pourra être autorisé à débarquer ses marchandises, après que les précautions nécessaires auront été prises, à savoir :

1. Isolement du navire, de l'équipage et des passagers ;

2. Évacuation de l'eau de la cale, après désinfection ;

3. Substitution d'une bonne eau potable à celle qui était emmagasinée à bord.

Il pourra également être autorisé à débarquer les passagers qui en feraient la demande à la condition que ceux-ci se soumettent aux mesures prescrites par l'autorité locale.

Chaque pays doit pourvoir au moins un des ports du littoral de chacune de ses mers d'une organisation et d'un outillage suffisants pour recevoir un navire quel que soit son état sanitaire.

Les bateaux de cabotage feront l'objet d'un régime spécial à établir d'un commun accord entre les pays intéressés.

Le Président :

(Signé) Comte CHS. DE DÖNHOF.

Certifié conforme à l'original :

Les Secrétaires :

(Signé) Baron DE FRIESEN.

MAX STÄVIE.

HENRY ALLIZÉ.

Comte N. SZÉCSEN.

Comte E. D'ARCO VALLEY.

Annexe 2.

Mesures à prendre à l'égard des Navires provenant d'un Port contaminé et remontant le Danube.

En attendant que la ville de Soulina soit pourvue d'une bonne eau potable, les bateaux qui remontent le fleuve devront être soumis à une hygiène rigoureuse.

L'encombrement des passagers sera strictement interdit.

I.—Mesures à prendre à Soulina.

Les bateaux entrant en Roumanie par le Danube seront retenus jusqu'à la visite médicale et jusqu'à parachèvement des opérations de désinfection.

Les bateaux se présentant à Soulina devront subir, avant de pouvoir remonter le Danube, une ou plusieurs visites médicales sérieuses faites de jour. Chaque matin, à une heure indiquée, le médecin s'assurera de l'état de santé de tout le personnel du bateau et ne permettra l'entrée que s'il constate la santé parfaite de tout le personnel. Il délivrera au capitaine ou au batelier un passeport sanitaire ou patente, ou certificat dont la production sera exigée aux garages ultérieurs.

Il y aura une visite chaque jour. La durée de l'Arrêt à Soulina des navires non infectés ne dépassera pas trois jours. La désinfection des linges contaminés sera effectuée dès l'arrivée.

On substituera une eau potable de bonne qualité à l'eau douteuse qui pourrait être à bord.

L'eau de la cale sera désinfectée.

Les mesures qui viennent d'être indiquées ne seront applicables qu'aux provenances de ports qui sont le siège d'un foyer cholérique.

Il est bien entendu qu'un navire provenant d'un port non contaminé—c'est-à-dire, d'un port qui n'est pas le siège d'un foyer—pourra, s'il ne veut pas être soumis aux mesures restrictives précédemment indiquées, ne pas accepter les voyageurs venant d'un port contaminé.

Il y a lieu de perfectionner à Soulina l'établissement Sanitaire, de le pourvoir de l'outillage moderne comme moyens de désinfection et de le compléter de façon à ce qu'on puisse débarquer et isoler les malades provenant d'un navire infecté, ainsi que les autres passagers.

II.—Mesures à prendre sur les Bords du Fleuve.

Des postes Sanitaires de moindre importance devront être installés sur les bords du fleuve de façon à pouvoir débarquer des malades s'il s'en trouve à bord ; les postes devront être pourvus de bonne eau potable et des moyens de désinfection nécessaires. Une entente doit être établie à cet égard entre le Gouvernement Russe et le Gouvernement Roumain.

Un médecin sera attaché à chaque poste Sanitaire ou à chaque point de relâche important.

Dans chaque station une chambre convenablement isolée devra être préparée.

Tous les bateaux subiront en passant devant ces postes la visite médicale. S'il y a des malades ou des suspects ils seront débarqués et isolés.

Les autres personnes devront être également débarquées et isolées pendant cinq jours.

Les cabines, dortoirs, et autres endroits contaminés, le linge, les hardes, et objets souillés seront désinfectés ; il en sera de même de la cale ; une bonne eau potable sera substituée à l'eau douteuse du bord.

Pour les bateaux dans lesquels il n'y aura ni malades ni suspects, on désinfectera les cabinets et la cale et on substituera une bonne eau potable à celle qui est à bord et qui pourrait être mauvaise.

Après la visite médicale on donnera au capitaine ou au chef de l'équipage un certificat indiquant les précautions qui ont été prises et les désinfections qui ont été effectuées ; ce certificat précisera en outre le nombre des passagers et des hommes de l'équipage.

Ce certificat devra être présenté dans les différents postes.

Lorsque le bateau abordera une nouvelle circonscription, il subira une nouvelle visite médicale.

La cale sera de nouveau désinfectée à moins que l'eau ne renferme encore d'une façon non douteuse le mercure ou la chaux à l'état alcalin.

Le Président :

(Signé) Comte CHS. DE DÖNHOF.

Certifié conforme à l'original :

Les Secrétaires :

(Signé) Baron DE FRIESEN.
MAX STÄVIE.
HENRY ALLIZÉ.
Comte N. SZÉCSÉN.
Comte E. D'ARCO VALLEY.

(Translation.)

HIS Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire; His Majesty the Emperor of Austria, King of Bohemia, &c., &c., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the French Republic; His Majesty the King of Italy; His Royal Highness the Grand Duke of Luxemburg; His Highness the Prince of Montenegro; Her Majesty the Queen of the Netherlands, and in her name the Queen-Regent of the Kingdom; His Majesty the Emperor of All the Russias; the Swiss Federal Council;

Having decided to establish in common measures for protecting public health during cholera epidemics without uselessly obstructing commercial transactions and passenger traffic, have named as their Plenipotentiaries, namely:—

His Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire, Count Charles von Dönhoff, his Real Privy Councillor and Envoy Extraordinary and Minister Plenipotentiary at Dresden; M. Hopf, his Superior Privy Councillor of Government in the Home Department; the Chevalier von Landmann, Superior Councillor of Government in the Home Department of Bavaria; M. von Criegern, Privy Councillor of Government in the Home Department of Saxony; Dr. Koch, Professor at the Royal University of Berlin, his Privy Councillor of Medicine, Extraordinary Member of the Imperial Sanitary Department; Dr. Lehmann, his Councillor of Legation in the Foreign Department.

His Majesty the Emperor of Austria, King of Bohemia, &c., &c., and Apostolic King of Hungary, M. Hengelmüller de Hengervár, his Envoy Extraordinary and Minister Plenipotentiary at Rio de Janeiro; the Chevalier de Gsiller, his Consul-General, Delegate to the European Commission of the Danube; the Chevalier Dr. Kusý, Councillor in the Ministry of the Interior at Vienna; Dr. Alexander Faschó-Moys, Councillor in the Hungarian Ministry of the Interior at Buda-Pesth; M. de Ebner, Councillor of a Department in the Imperial-Royal Ministry of Commerce at Vienna; M. Charles de Vajkay, Superior Engineer of the Hungarian State Railways.

His Majesty the King of the Belgians, M. E. Beco, Secretary-General of the Ministry of Agriculture, Industry, and Public Works.

The President of the French Republic, M. Camille Barrère, Minister Plenipotentiary of the First Class, Chargé d'Affaires for France at Munich; Professor Brouardel, Dean of the Faculty of Medicine at Paris, Member of the Institute, President of the Consultative Committee of Public Hygiene; Professor Proust, Member of the Academy of Medicine, Inspector-General of Sanitary Services.

His Majesty the King of Italy, Count Curtopassi, his Envoy Extraordinary and Minister Plenipotentiary at Bucharest; Commander Pagliani, Professor of Hygiene at the Faculty of Medicine, Director of the Department of Public Health in the Ministry of the Interior.

His Royal Highness the Grand Duke of Luxemburg, Count H. E. V. de Villers, his Chargé d'Affaires at Berlin.

His Highness the Prince of Montenegro, M. Hengelmüller de Hengervár, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Austria and Apostolic King of Hungary.

Her Majesty the Queen of the Netherlands, and, in her name, the Queen-Regent of the Kingdom, M. L. H. Ruysenaers, her Minister Resident; Dr. Ruysch, Councillor in the Ministry of the Interior.

His Majesty the Emperor of All the Russias, M. Yonine, his Privy Councillor, and his Envoy Extraordinary and Minister Plenipotentiary.

The Swiss Federal Council, Colonel Dr. Roth, Envoy Extraordinary and Minister Plenipotentiary accredited by the Swiss Confederation to the German Empire; Dr. F. Schmid, Head of the Federal Sanitary Department,

Who, having exchanged their powers, found in good and due form, have agreed on the following provisions :—

I.

As regards International Preventive Measures applicable to Travellers and to Merchandise.

The measures indicated and laid down in Annex (I) of the present Convention shall henceforth be applied.

II.

As regards the Sanitary Regulations at the Mouth of the Danube (Sulina Mouth).

The provisions laid down in Annex (II) shall be applied.

III.

The documents annexed to the present Convention shall have the same force as if they were incorporated with it.

IV.

The present Convention shall have a duration of five years from the date of ratification. It shall be renewed from five years to five years, *ipso facto*, by absence of denunciation by the Contracting Parties ("par tacite reconduction, sauf dénonciation") within six months of the expiration of that period.

The denunciation will take effect only as regards the country or countries denouncing the Convention. It will be binding on the remaining States. The High Contracting Parties reserve the right to propose, by the diplomatic channel, any alterations they may wish to make in the Convention.

The present Convention shall be ratified; the ratifications shall be exchanged or deposited at Berlin as soon as possible, and at latest within six months from the 15th April, 1893.

In faith whereof the Plenipotentiaries have signed it and sealed it.

Done in ten copies at Dresden, the 15th April, 1893.

(L.S.)	Comte CHS. DE DÖNHOF.
(L.S.)	HOPF.
(L.S.)	ROBERT VON LANDMANN.
(L.S.)	FRIEDRICH VON CRIEGERN.
(L.S.)	R. KOCH.
(L.S.)	LEHMANN.
(L.S.)	HENGELMÜLLER.
(L.S.)	GSILLER.
(L.S.)	DR. EM. KUSÝ.
(L.S.)	FASCHÓ-MOYS.
(L.S.)	EBNER.
(L.S.)	VAJKAY.
(L.S.)	E. BECO.
(L.S.)	CAMILLE BARRÈRE.
(L.S.)	P. BROUARDEL.
(L.S.)	A. PROUST.
(L.S.)	Comte CURTOPASSI.
(L.S.)	L. PAGLIANI.
(L.S.)	H. DE VILLERS.
(L.S.)	HENGELMÜLLER.
(L.S.)	L. H. RUYSSENAERS.
(L.S.)	DR. RUYSCH.
(L.S.)	YONINE.
(L.S.)	ROTH.
(L.S.)	DR. SCHMID.

True copy:

The President:

(Signed) Comte CHS. DE DÖNHOF.

The Secretaries:

(Signed) Baron DE FRIESEN.

MAX STÄVIE.

HENRY ALLIZÉ.

Comte N. SZÉCSÉN.

Comte E. D'ARCO VALLEY.

ANNEXES TO THE CONVENTION.

Annex 1.

Chapter 1.—*Measures for keeping the Governments Parties to the Convention informed of the progress of an Epidemic of Cholera, and of the means adopted to prevent its Spread and its Importation into healthy Districts.*

Notification and subsequent Communications.

THE Government of a contaminated country shall notify to the various Governments the existence of a cholera focus. This measure is essential.

It will be of no value unless the Government itself is made aware of cases of cholera and doubtful cases occurring in its territory. The obligatory notification of cases of cholera by doctors cannot be too strongly recommended to the various Governments.

The subject of the notification shall be the existence of a cholera focus, the place where it has appeared, the date of its commencement, the number of cases ascertained clinically, and the number of deaths. Isolated cases do not necessarily form the subject of a notification.

The notification shall be made to the Diplomatic or Consular Agencies in the capital of the contaminated country. In the case of countries not represented at the capital, the notification shall be made directly by telegraph to the foreign Governments.

This first notification shall be followed by subsequent communications, made regularly and in such manner as to keep the Governments informed as to the progress of the epidemic. These communications shall be made at least once a-week.

The information on the beginning and on the progress of the disease, shall be as full as possible. It shall show especially the measures taken to stop the spread of the epidemic. It shall state distinctly what preventive measures have been adopted in regard to:—

Sanitary or medical inspection,
Isolation,
Disinfection,

and the measures provided in the case of the departure of ships, and the exportation of susceptible goods.

It is understood that neighbouring countries may make special arrangements for the communication of information directly between the Heads of the frontier services.

The Government of each State shall immediately publish the measures taken with regard to persons or things coming from a contaminated country or territorial district.*

The Government shall at once communicate this publication to the Diplomatic or Consular Agent of the contaminated country resident in the capital of the country where the publication is made. Should there be neither Diplomatic nor Consular Agency in the capital, the communication shall be made directly to the Government of the interested country.

The Government shall also make known in the same manner the withdrawal of the measures in question, or any alterations made in them.

Chapter 2.—*Conditions under which a Territorial District shall be considered contaminated or healthy.*

A district is held to be contaminated when a cholera focus has been officially ascertained to exist within it.

A district in which a cholera focus has existed ceases to be held to be contaminated when it is officially ascertained that there has been no death from cholera and no new case for five days, provided always that the necessary measures of disinfection have been taken.

* By "district" is understood a portion of the territory of a country placed under a definite administrative authority, such as: a province, a "government," a district, a department, a canton, an island, a commune, a town, a village, a port, a "polder," &c., whatever may be the extent and the population of such portions of territory.

The preventive measures shall be applied to the contaminated territory from the moment the epidemic has been officially ascertained to exist.

These measures shall cease to be applied as soon as it is officially ascertained that the district is again healthy.

The fact that a few isolated cases, not constituting a cholera focus, have occurred in a district, does not involve the application of the measures in question.

Chapter 3.—*Necessity of limiting to contaminated Districts the application of the Measures intended to prevent the spread of the Epidemic.*

To restrict the application of the measures to those districts alone which have been attacked, the Governments concerned should apply those measures solely to persons and goods from the contaminated districts.

But this limitation to the contaminated district should only be accepted on the formal condition that the Government of the contaminated country takes the measures necessary for preventing the exportation of susceptible objects from the contaminated district.

When a district is contaminated no restrictive measures shall be taken against persons and goods from such district, if they left it five days at least before the beginning of the epidemic.

Chapter 4.—*Merchandize or Goods which are to be considered as susceptible in view of prohibitions of Importation or of Transit—and of Disinfection.*

I.—*Importation and Transit.*

The only susceptible goods or merchandize the importation of which may be prohibited are:—

1. Body linen, rags (“hardes”) and clothes which have been worn (clothing—“effets à usage”); used bedding.

When these goods are transported as luggage or on change of house (household removals), they are subject to special regulations.

2. Rags (“chiffons et drilles”).

The following may not be prohibited: (a) rags compressed by hydraulic force, transported as wholesale merchandize in bales surrounded by iron bands, and with marks and numbers showing their origin, and accepted as such by the authorities of the country of destination; (b) clean clippings (“déchets neufs”) coming directly from spinning, weaving, making up, or bleaching establishments; artificial wool (“Kunstwolle,” “shoddy”), and fresh paper shavings.

The transit of susceptible merchandize or goods, so packed that they cannot be handled on the way, shall not be prohibited.

When susceptible merchandize or goods is so transported that it cannot, in transit, have been in contact with soiled goods, its transit through a contaminated district shall not be an obstacle to its entry into the country of destination.

The importation of susceptible merchandize and goods shall not be prohibited, if it is proved to the authorities of the country of destination that such merchandize or goods were dispatched five days at least before the beginning of the epidemic.

Merchandize may not be retained in quarantine at land frontiers. Prohibition, pure and simple, or disinfection, are the only measures which may be taken.

II.—*Disinfection.*

Luggage.—Disinfection is obligatory for dirty linen, rags (“hardes”), clothes, and other goods, forming part of luggage or furniture (household removals), coming from a district declared to be contaminated, which luggage, &c., the local Sanitary authority may consider to be contaminated.

Merchandize.—Disinfection shall only be applied to such merchandize and goods as the local Sanitary authority may consider contaminated, or to such merchandize and goods as might [otherwise] be prohibited from importation.

The authorities of the country of destination shall settle the mode and place of disinfection.

Disinfection shall be carried out in such a manner as to damage goods as little as possible.

It is left to each State to settle the question of compensation due in consequence of disinfection.

Letters and correspondence, printed matter, books, newspapers, business documents, &c. (not including postal parcels), are not subject to any restriction or disinfection.

Chapter 5.—*Measures at Land Frontiers. Railways. Travellers.*

Passenger, postal and goods rolling stock shall not be detained at the frontiers.

If a carriage is soiled, it shall be detached from the train in order to be disinfected, either at the frontier, or at the nearest stopping station, if possible.

Goods rolling stock shall be treated in the same manner.

There shall be no land quarantines.

Persons suffering from cholera, and those having cholera-like symptoms, may alone be detained.

The railway staff should maintain a watch on travellers' health.

Medical intervention shall be limited to an inspection of the travellers, and to the care of the sick.

It would be most useful to submit travellers coming from a contaminated place to supervision during five days from the date of departure, when they reach their destination.

Regulations respecting the passage of the frontier by the staff of the Railway and Postal Administrations shall be settled by the authorities interested. The Regulations shall be arranged so as not to interfere with the Services concerned.

The Governments reserve power to take special measures in the case of certain categories of persons, namely :—

(a.) Gipsies and vagrants.

(b.) Emigrants, and persons passing the frontier in numbers.

Chapter 6.—*Special Regulations for Frontier Zones.*

The regulation of the frontier traffic, and of the questions involved by that traffic, as well as the adoption of exceptional measures of supervision, shall be settled by special arrangements between the frontier States.

Chapter 7.—*River Traffic. Rivers, Canals, and Lakes.*

The Sanitary Regulations for river traffic shall be settled by special arrangements between the Governments of the riparian States.

The German Regulations issued in 1892, which produced good results, are recommended [as a model].

Chapter 8.—*Maritime Part.—Measures to be taken in Ports.*

A ship having cholera on board, or having had fresh cases of cholera on board, within seven days, is an *infected* ship.

A ship having had cases of cholera on board at the time of departure or during the passage, but no fresh case within seven days, is a *suspected* ship.

A ship having had neither a death from, nor a case of, cholera on board, before departure, during the passage, or on arrival, even though she come from an infected port, is a *healthy* ship.

Infected ships are subject to the following treatment :—

1. The sick are immediately disembarked and isolated.

2. The remaining persons on board are also to be disembarked, if possible, and to be submitted to an observation, the duration of which shall vary according to the sanitary condition of the ship and the date of the last case, but such observation shall not exceed five days.

3. Dirty linen, clothing ("effets à usage"), and goods belonging to the crew and passengers, which, in the opinion of the port Sanitary authority, are held to be con-

taminated, shall be disinfected, as well as the ship, or only the part of the ship which has been contaminated.

Suspected ships are subject to the following measures :—

1. Medical inspection.
2. Disinfection ; dirty linen, clothing (“effets à usage”), and goods belonging to the crew and passengers, which, in the opinion of the local Sanitary authority, are held to be contaminated, shall be disinfected.

3. Evacuation of the bilge after disinfection, and substitution of good drinking water for that which is on board.

It is recommended that the crew and the passengers be subject, for five days after the arrival of the ship, to supervision as regards their health.

It is also recommended that the crew and passengers do not disembark except on business.

Healthy ships are immediately admitted to free pratique, whatever may be the nature of their bill of health.

The only treatment to which they may be subjected by the authorities of the port of arrival consists in the measures applicable to suspected ships (medical inspection, disinfection, evacuation of the bilge and substitution of good drinking-water for that which is on board).

It is recommended that the crew and the passengers be subject, for five days after the date on which the ship left the contaminated port, to supervision as regards their health.

It is also recommended that the crew and passengers do not disembark except on business.

It is understood that the competent authority of the port of arrival may require a certificate to show that no case of cholera occurred on board at the port of departure.

In applying these measures, the competent authority of the port shall make due allowance for the presence on board ships of the three above-mentioned classes of a doctor and disinfecting apparatus (“étuve”).

Special measures may be taken with regard to crowded ships, particularly in the case of any ship in a bad sanitary condition.

So far as regards disinfection, prohibitions of importation, transit, and quarantine, merchandize arriving by sea may not be treated otherwise than merchandize arriving by land. (See Chapter 4.)

If a ship is unwilling to submit to the obligations imposed by the authority of the port, she shall be free to put to sea again.

Such a ship may disembark her merchandize after the necessary precautions have been taken, namely :—

1. Isolation of the ship, crew, and passengers.
2. Evacuation of the bilge after disinfection.
3. Substitution of good drinking water for the water stored on board.

She may also be allowed to disembark such passengers as ask to be disembarked, provided they submit to the measures prescribed by the local authorities.

Every country shall furnish one of the ports on the shores of each of its seas with the organization and appliances required for receiving any ship, whatever be its sanitary condition.

Coasting ships will form the subject of special Regulations to be established under common agreement between the interested countries.

The President :

(Signed) Comte CHS. DE DÓNHOFF.

True copy :

The Secretaries :

(Signed) Baron DE FRIESEN.
 MAX STÄVIE.
 HENRY ALLIZÉ.
 Comte N. SZÉCSEN.
 Comte E. D'ARCO VALLEY.

Annex 2.

Measures to be taken with regard to Ships coming from a contaminated Port and sailing up the Danube.

Until the town of Sulina is supplied with good drinking water, ships going up the river shall be maintained in a severely hygienic condition.

Any crowding of passengers shall be strictly prohibited.

I.—Measures to be taken at Sulina.

Ships entering Roumania by the Danube shall be detained until the medical visit and the operations of disinfection have been carried out.

Ships arriving at Sulina must, before going up the Danube, undergo one or more careful medical visits by day. Each morning, at a fixed hour, the doctor shall satisfy himself as to the health of every one on board, and shall not let the ship enter the Danube unless he finds that all are perfectly well. He will deliver to the master a sanitary passport or patent, or certificate, which shall be demanded at the subsequent stopping places.

There shall be a medical visit every day. The stay of non-infected ships at Sulina shall not exceed three days. Contaminated linen shall be disinfected on arrival.

Drinking water of good quality shall be supplied in the place of any doubtful water which may be on board.

The bilge water shall be disinfected.

The above-mentioned measures shall only be applied to ships from ports where there is a cholera focus.

It is understood that a ship from a non-contaminated port—that is to say, from a port where there is no cholera focus—may, in order not to be liable to the above-mentioned restrictions, refuse to embark passengers from a contaminated port.

The sanitary establishment at Sulina should be improved, and should be furnished with modern appliances for disinfection, and should be so completed that the sick from an infected ship may be disembarked and isolated, as also the other passengers.

II.—Measures to be taken on the Banks of the River.

Minor sanitary stations shall be established on the banks of the river so that any sick on board may be landed; these stations shall be provided with good drinking water and with the necessary means of disinfection. An understanding should be come to on this matter between the Russian Government and the Roumanian Government.

A doctor shall be attached to each sanitary station or to each important stopping place.

A properly isolated room shall be prepared at each station.

All the ships shall be medically visited on passing these stations. If there are sick persons on board, or persons suspected of being sick, they shall be disembarked and isolated.

The remaining persons shall also be disembarked and isolated for five days.

The cabins, berths, and other contaminated parts [of the ship], soiled linen, rags ["hardes"], and other things shall be disinfected; the bilge hold shall be similarly treated; good drinking water shall be substituted for the doubtful water on board.

In the case of ships on board of which there are neither sick persons nor persons suspected of being sick, the latrines and the bilge hold shall be disinfected and good drinking water shall be substituted for any drinking water on board which may be bad.

After the medical visit there shall be given to the master or head of the crew a certificate showing what precautions and what measures of disinfection have been taken; this certificate shall also show the number of passengers and of persons forming the crew.

This certificate must be shown at the different stations.

When the ship enters another district, she shall be again medically visited.

The bilge hold shall be again disinfected unless the water in it contains mercury or lime in a distinctly alkaline state.

The President:

(Signed) Comte CHS. DE DÖNHOF.

True copy:

The Secretaries:

(Signed) Baron DE FRIESEN.
MAX STÄVIE.
HENRY ALLIZÉ.
Comte N. SZÉCSÉN.
Comte E. D'ARCO VALLEY.

No. 8.

*Foreign Office to Local Government Board.**

Sir,

Foreign Office, May 11, 1893.

I AM directed by the Earl of Rosebery to transmit to you, to be laid before Mr. Fowler, the accompanying copies of a Report by the British Delegates on the proceedings of the International Sanitary Conference recently held at Dresden.

The decisions of the Conference were embodied in a Convention which was signed by the Plenipotentiaries of the principal Powers of Europe. The final text of the Convention was, however, settled at so late a date that it was impossible for the British Delegates to submit it to Her Majesty's Government in time to allow them to be furnished, before the close of the Conference, with instructions as to whether the Convention would be accepted by Her Majesty's Government.

It will be observed that the Convention lays down a minimum and a maximum of precautions.

The minimum is obligatory; the maximum constitutes a limit of precaution which no State may exceed. The minimum corresponds closely with the Cholera Regulations in force in this country, excepting as regards the detention of healthy persons landing from ships that have cholera on board, or that have had cholera on board within seven days of arrival in port. It must be remembered, however, that the period of detention counts from the date of the last case, and that the number of ships with cholera on board is relatively small.

It will also be perceived that no ship, even though having cholera on board, will be detained except for the short time required for disinfection, &c., and that healthy ships from infected ports will receive immediate pratique.

The Convention also provides that, in order to avoid the detention for disinfection, &c., a ship, although she may have cholera on board, may, under precautions which involve practically no loss of time on the part of the ship, land both passengers and cargo and continue her voyage.

The Convention declares that no restrictions may be imposed on merchandize other than certain classes of rags—which never come into the wholesale trade—and articles of personal use which may have been fouled by choleraic discharges.

The British Delegates stated to the Conference that healthy persons from infected ships would not be detained in this country. No objection was made to this reservation, and, that being so, the British Delegates express the opinion that the adoption of the Convention by this country would involve no change in the Regulations now in force in the ports of the United Kingdom. It is, however, understood that a modification would have to be made in the direction of waiving the disinfection of certain kinds of rags.

It appears that the application of the Convention will, in the more backward countries, meet with opposition from populations that have hitherto trusted to quarantine Regulations, in the old sense of the term, to preserve them from cholera. In such countries the adoption of the Convention by Her Majesty's Government would, no doubt, be of value in strengthening the hands of those who are in favour of the sanitary system so long followed with success in this country, and it would afford to those countries a knowledge of security that their trade will, in the United Kingdom, continue to enjoy that freedom from useless restrictions which is guaranteed by the Convention.

* Also to Board of Trade and Admiralty.

I am to request you to inform Lord Rosebery whether the Convention should, in Mr. Fowler's opinion, be signed on behalf of the United Kingdom.

In view of the value which would be attached in certain countries to the prompt accession of Her Majesty's Government, I am to request that a reply may be sent to my present letter with the least delay possible.

A similar letter has been addressed to the Board of Trade and Admiralty.

I am, &c.
(Signed) EDWARD GREY.

No. 9.

The Earl of Rosebery to the British Delegates to the Dresden Sanitary Conference.

Gentlemen, *Foreign Office, May 12, 1893.*

I HAVE to acknowledge the receipt of your Report, dated the 18th ultimo, respecting the proceedings of the International Sanitary Conference recently held at Dresden.

I have much pleasure in expressing my sense of the attention and discretion which you gave to the discussion of the various questions brought before the Conference, and I desire to convey to you my approval of your action.

Your despatch has been referred for consideration to the several Departments of Her Majesty's Government concerned with the subjects reported upon in it.

I am, &c.
(Signed) ROSEBERY.

No. 10.

Local Government Board to Foreign Office.—(Received May 18.)

Sir, *Whitehall, May 17, 1893.*

I AM directed by the Local Government Board to acknowledge the receipt of your letter of the 11th instant, inclosing copies of a Report by the British Delegates on the proceedings of the International Sanitary Conference recently held at Dresden, and I am to inform you that the President is of opinion that the Convention embodying the decisions of the Conference may properly be signed on behalf of Her Majesty's Government.

It should, however, be made clear at the time of signing the actual instrument by which this country will be bound, that Her Majesty's Government maintain the reserve made by the British Delegates, and inserted in the "Protocole de Signature," to the effect that no persons arriving in Great Britain in cholera-infected vessels, other than those who are actually sick on arrival, will be compulsorily detained.

I am, &c.
(Signed) C. N. DALTON,
Assistant Secretary.

No. 11.

Board of Trade to Foreign Office.—(Received May 18.)

Sir, *Board of Trade, London, May 18, 1893.*

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 11th instant, in which you transmit copies of a Report by the British Delegates on the proceedings of the International Sanitary Conference held at Dresden, and request, by desire of Lord Rosebery, to be informed whether the Convention which accompanies that Report should, in the opinion of this Board, be signed on behalf of the United Kingdom.

In reply, I am to request you to state to his Lordship that the two main points involved in the Convention would appear to be the detention of persons landing from unhealthy ships and the prohibition of the import of rags, with neither of which

questions the Board of Trade are directly concerned. They see no objection to the signature of the Convention, but they presume that the Local Government Board will advise whether there should or should not be some reservation as to the former point.

I have, &c.
(Signed) C. CECIL TREVOR.

No. 12.

Admiralty to Foreign Office.—(Received May 19.)

Sir,

Admiralty, May 18, 1893.

WITH reference to your letter of the 11th May, forwarding copies of a Report by the British Delegates on the proceedings of the International Sanitary Conference recently held at Dresden, I am commanded by my Lords Commissioners of the Admiralty to request that you will state to the Earl of Rosebery that they are in favour of the Convention being signed.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 13.

Sir E. Malet to the Earl of Rosebery.—(Received June 9.)

My Lord,

Berlin, June 5, 1893.

IT is reported in the "Reichs-Anzeiger" of the 3rd instant, that the propositions deriving from the Agreement signed at Dresden on the 15th April last by certain of the Powers (including Germany) who were represented at the recent Sanitary Conference have been laid before the Federal Council, and by it referred to the Committee of the Council for matters of Trade and Commerce.

I have the honour to inclose copies, with a translation, of an explanatory Memorandum, published with the text of the Convention, in the above-mentioned issue of the "Reichs-Anzeiger."

I have, &c.
(Signed) EDWARD B. MALET.

Inclosure in No. 13.

Memorandum.

(Translation.)

THE serious injury sustained by our national economy through the excessive "barrier" policy adopted by certain foreign nations on account of last year's epidemic of cholera in Germany drove the Imperial Government to take up the question, whether the repetition of such inconveniences in the future might not be averted by means of an International Agreement with respect to the limits within which, on the appearance of cholera, restrictions upon traffic should be resorted to. There was the more urgency to examine this question, in that cholera had not yet disappeared from Europe, and that Germany, from her central position, must reckon with the possibility of a recrudescence of the malady during the current year.

Whilst the idea of an International Conference of the kind was inspired by the desire that, should cholera break out afresh, the sacrifices inseparable from the epidemic should not be aggravated by a disturbance of commercial relations, the fact remained that this desire was only capable of practical realization to such a point as that the liberty of individual States to defend their frontiers against an invasion by cholera should not be prejudiced by any resolutions which the Conference might adopt. The Imperial Government had no intention, in the event of cholera breaking out in a foreign country, of abstaining from any precautionary measures which they might deem necessary, and other countries might be expected to be equally so disposed. But the experiences of last year had in themselves led to the firm conviction in Germany that it was not particularly or

chiefly at the frontier, and above all, not by harassing traffic, that cholera is to be fought, but rather by a steady improvement in sanitary conditions in the interior, and by a vigilant activity on the part of the Sanitary police. Many of those measures for the hindrance of traffic which have hitherto been put into force against international communications were recognized as useless from a sanitary point of view, and as very harmful commercially. It might be expected that other States had gained the same or similar experiences, and that an exchange of these in an International Conference might conduce to an alleviation of the previous rigid system.

The Imperial Government could last year only adduce, in support of its appreciation of the futility of various measures of exclusion adopted by foreign countries, the opinions of German scientific authorities and the dicta of the Imperial Sanitary Department. Even this contention was not without some success. Of how much greater weight, in a similar case, would be the Resolutions of an International Conference representing the scientific and practical experience not merely of experts drawn from a single country, and that an interested one, but of experts taken from all the States of Europe. Such Resolutions might be applied with far greater force to dissentient Governments than any previously available arguments. Those Governments, too, who are themselves reasonably inclined, but who hesitate to give effect to their convictions out of tenderness for the susceptibilities of their populations, would find in such Resolutions a justification for moderation. So far, then, an International Conference, even should it terminate without the adoption of binding engagements, offered a prospect of moral advantages of no despicable order.

It was obvious, however, that, at the given moment, the conditions for the summoning of a Sanitary Conference were far more favourable than had been the case on former occasions, when many similar Conferences had ended in no positive result. Not in Germany alone had cholera broken out the year before. Very many among the other European States had similarly suffered, both from the malady itself and from the exaggerated restrictions upon traffic imposed in countries which they looked to for their markets. All States saw themselves equally exposed to the possibility of a recurrence of cholera during the present year, and no less, should the existing system remain unmodified, to the possibility of exclusion from access to their markets. The community of interests thus established was bound at once to exert a favourable influence.

At the moment, indeed, when the Imperial Government, impelled by the foregoing considerations, had already made up their mind to pave the way for the calling together of an International Sanitary Conference by confidentially sounding the other States of Europe, they were approached by the Austro-Hungarian Government with the question, based upon the injury inflicted upon that Monarchy in Eastern countries during the cholera epidemic, what might be the opinion in Germany as to an international regulation of the restrictions upon personal and good traffic which might be considered justifiable in the light of previous experience, were cholera to break out once more. As it was plain from the observations which accompanied this inquiry that the point of view of the Cabinet of Vienna fully coincided as regards its main object with the point of view of the Imperial Government, the latter declared itself to be perfectly willing to leave the initiative in the matter to the Austro-Hungarian Government. The Austro-Hungarian Government thereupon entered into preliminary negotiations with the various European Governments for their participation in a Conference, and they encountered in every quarter the utmost readiness to join in the projected undertaking.

It was especially important for the success of the scheme that the particular questions for the solution of which the Conference was to be summoned should be indicated in a programme drawn up for the purpose. From this programme, all those questions were to be excluded the discussion of which might lead to side issues and differences of opinion, and any mention of which, accordingly, were best avoided for the present moment, in the interests of the result which it was hoped to attain. At the desire of the Austro-Hungarian Government, who were anxious to learn the views of the Imperial Government in regard to the programme to be adopted, the latter drew up an Interrogatory, which, after joint consideration, was accepted, with some slight modifications, by the Austro-Hungarian Government. This Interrogatory was circulated by Austria-Hungary among the Governments interested as the programme of the Conference, and it eventually formed the basis of its discussions.

Thus prepared, the Conference met in Dresden on the 11th March last. The following countries were represented, &c.

* * * * *

The Resolutions of the Conference are consigned in two Annexes to the Agreement, which are to be held to possess the same validity as if they had been included in the body of the Agreement. As regards their details, the following may be observed :—

Annex I.

The Resolutions in this Annex answer generally to the programme drawn up in common by Germany and Austro-Hungary, and put forward at the Conference by the German Delegates. They do not seek to impose upon every Contracting State an identical procedure for the prevention and repression of cholera, but rather to lay down a maximum limit for the protection of international traffic against excessive and notoriously useless measures; a limit which the States concerned should at no time overstep in their Regulations, but yet within which every State may follow the lines which suit it best in combatting cholera. Here and there only the Agreement contains a positive obligation to carry out certain measures.

Such is especially the case in the provisions embodied in Article 1. The Contracting States bind themselves therein to keep one another fully informed, through diplomatic channels, in regard to the outbreak and the progress of an epidemic of cholera, and to the measures adopted by them to guard against its spread or introduction. Any restrictions on traffic that may be ordered against an infected country must be made public immediately, so as to advise, with the least delay, the parties interested.

In Article 2 are laid down the conditions under which a place or district is to be held to be infected, so as to render precautionary measures applicable to it. Only the formation of a focus of infection can justify the enforcement of such measures; purely isolated cases no longer suffice to stamp a place as infected, and to justify its being treated as such. Five days after the last fresh case the place is to be considered clean.

It is of particular importance that the Regulations ordained should not be of too extensive application; above all, it cannot be allowed that because cholera has broken out in one given spot this should suffice for all arrivals from the country in question to be subjected to measures of restriction. On this account, Article 3 orders that measures of the kind shall only apply to arrivals from the infected spots or districts. This alleviating concession is, however, subject to the condition that in the State where the cholera has appeared the export from the infected district of articles capable of carrying the disease shall be stopped.

The export trade was especially hardly dealt with during last year's cholera epidemic by the wholesale prohibition against imports issued by various States against countries afflicted with the malady. The conviction, acquired from last year's experience, that cholera is not introduced by articles of merchandize, finds expression in the Agreement. By Article 4 the liberty to prohibit imports is restricted to a few, as regards international commerce, almost wholly unimportant articles, viz., body linen, worn apparel, used bed-linen, and such rags as are not generally packed in the manner customary in the wholesale trade. To remove any doubt, it is also stipulated that new factory waste and artificial wools do not fall under the heading of rags. Articles of the description above cited found in travellers' luggage or in removal vans are not to be excluded from entrance, but are to be subject to disinfection. When it can be shown that any articles were dispatched five days previous to the outbreak of the epidemic, the restrictive measures shall not be used against them. Quarantine on goods is not permissible.

In order to avoid the injury which disinfection so often and in so many ways entails, it is laid down that a universal disinfection is not to be imposed upon goods, always excepting those whose importation is forbidden; those articles only are to be disinfected which may be suspected of actual defilement with choleraic evacuations. Disinfection of travellers' luggage, household removals, &c., is limited to soiled linen, worn apparel, &c., belonging to persons coming from the infected districts, provided that these articles are judged by the local medical authority to be contaminated with choleraic evacuations.

The letter-post is to be unaffected by prohibitions of importation or by other restrictions. With respect to the parcels-post, packages are to be dealt with according to the nature of their contents and the Regulations applicable to the same.

The transport of goods and other objects capable of carrying infection from cholera-infected districts is to be authorized on condition that they are suitably packed. On the same condition, the passage of such objects through an infected district shall create no obstacle to their admission into the country of destination.

Article 5 deals with the interests of an uninterrupted railway circulation in times of cholera. Travellers are no longer to be subjected to land quarantine; those only amongst them who are suffering from actual or apparent cholera are to be prevented from journeying further. In the case of travellers arriving from cholera-infected places, they are bound, on reaching their destination, to undergo supervision by the sanitary police during five days from the date of their original departure. This last stipulation does away with

the internment of travellers, and secures to them complete liberty of movement apart from the obligation to report themselves to the police.

Frontier intercourse by land or water is left to be regulated between the neighbour States which may be concerned.

With respect to sea traffic, trade and shipping were specially affected last year by the circumstance that in many States abroad ships arriving from countries where there was cholera, without regard being had to their sanitary condition, were subjected to a longer or shorter quarantine, during the term of which they were estopped from all communication with the land, and hindered from unloading cargoes or landing passengers. Upon this question the provisions of Article 8 exhibit an important improvement, inasmuch as the system of sea quarantine is entirely broken with and is replaced by one of medical inspection, such as is already practised in Great Britain, and, in essentials, in Germany. The fact of arrival from an infected port constitutes in itself, according to the Agreement, no bar to the free entry of a ship into the harbour of its destination, or its free communications therein. The real importance is attached to the sanitary condition of the vessel itself, a distinction being made respectively between infected, suspected, and clean ships. Infected ships alone, *i.e.*, those that have cholera on board at the time of arrival, or on board of which fresh cholera cases have occurred within the past seven days, are to be subjected to stringent measures. The sick are to be landed and isolated; the remaining persons (passengers and crew) are, if possible, to be likewise landed and kept under supervision for at most five days. Disinfection is also to be carried out as required.

Suspected vessels, *i.e.*, those which have had cholera on board, but no fresh case within the last seven days, are to be medically inspected; the linen and clothes of the passengers and crew are to be disinfected, so far as the local medical officer judges it to be necessary; the vessel is to be stored with fresh and pure drinking-water; the bilge-water to be first disinfected and then emptied out.

Clean vessels, which have had no cholera on board either in the port of origin or during the voyage, may, without reference to the tenour of their bills of health, at once enjoy freedom of movement and communication, without prejudice to a medical inspection, followed by any disinfection that may be adjudged necessary, combined with suitable treatment of the bilge-water and provision of good drinking-water. A sanitary supervision during five days, unaccompanied by restrictions upon place of residence, &c., may be ordered for the passengers and crew of both suspected and clean vessels. The term of this supervision, however, is to count, for suspected vessels, from the date of arrival; for clean ships, from that of departure from the infected port of origin.

The crew may in either case be forbidden to go on shore, unless on the service of the ship. Special Regulations may be made for certain descriptions of vessels: emigrant ships, particularly unhealthy ships, &c.

Goods traffic is in no case to be interfered with by reason of measures of sanitary police. Even infected or suspected vessels may discharge their cargoes at once. These last only fall under the Regulations generally applicable to all goods traffic.

Annex II.

The principles laid down in this Annex go to solve a difficulty which gave rise to a conflict of opinion last year between Russia and Roumania, and which was on that account submitted to the Conference. To what extent these principles may be capable of application remains to be seen, their execution being dependent not only upon the parties concerned, but also upon the consideration to be shown by these to their neighbour States. Germany has no particular interest in the question, German shipping on the Lower Danube being of insignificant proportions.

No. 14.

Protocol of Adhesion, signed in London, July 13, Berlin, July 15, 1893.

LA Conférence Sanitaire Internationale de Dresde, lors de la signature de la Convention dans la séance du 15 Avril, 1893, a décidé qu'un Protocole d'Adhésion resterait ouvert pour les Puissances dont les Représentants n'ont pas été à même de signer cette Convention.

En conséquence,

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, désirant faire usage de cette faculté, a nommé comme Plénipotentiaires :

Mr. Strachey, son Ministre-Résident à Dresde ; M. le Dr. Thorne Thorne, C.B., Chef de la Section Médicale du Local Government Board à Londres ; et Mr. H. Farnall, C.M.G., Secrétaire au Foreign Office à Londres,

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, ont déclaré ce qui suit :

Le Royaume-Uni de la Grande-Bretagne et d'Irlande adhère à la Convention Sanitaire Internationale, conclue à Dresde le 15 Avril, 1893, et à ses Annexes, sous la réserve toutefois que, dans le Royaume-Uni, les personnes bien portantes qui arrivent à bord d'un navire infecté ne soient pas soumises à une observation, mais seulement à une surveillance médicale dans leur domicile.

Le Secrétaire d'État au Département Impérial Allemand des Affaires Étrangères, M. le Baron Marschall de Bieberstein, accepte au nom des Puissances Signataires de la Convention cette déclaration d'adhésion et constate en même temps que les Gouvernements Signataires ont consenti à la réserve faite ci-dessus.

En foi de quoi le présent Protocole a été dressé à Londres (Berlin), le 13 (15) Juillet, 1893.

(Signé) G. STRACHEY.
R. THORNE THORNE.
H. FARNALL.
Baron MARSCHALL.

(Translation.)

THE International Sanitary Conference of Dresden decided, on signing the Convention during the meeting of the 15th April, 1893, that a Protocol of Adhesion should be accessible to the Powers whose Representatives were not then able to sign that Convention.

Therefore,

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, desirous of making use of the power so reserved, has named as Plenipotentiaries :

Mr. Strachey, her Minister Resident at Dresden ; Dr. Thorne Thorne, C.B., Principal Medical Officer to the Local Government Board in London ; and Mr. H. Farnall, C.M.G., a Clerk in the Foreign Office in London,

Who, after having deposited their full powers, found in good and proper form, have declared as follows :—

The United Kingdom of Great Britain and Ireland accedes to the International Sanitary Convention concluded at Dresden on the 15th April, 1893, and to the Annexes thereto, with the reservation that in the United Kingdom healthy persons from infected ships shall not be subjected to observation, but only to medical supervision in their own homes.

Baron Marschall von Bieberstein, Secretary of State in the Imperial German Department for Foreign Affairs, accepts this declaration of accession in the name of the Powers that have signed the Convention, and records at the same time that the Signatory Governments allow the above-stated reservation.

In faith whereof the present Protocol has been prepared in London (Berlin), the 13th (15th) July, 1893.

(Signed) G. STRACHEY.
R. THORNE THORNE.
H. FARNALL.
Baron MARSCHALL.

Correspondence respecting the Sanitary Con-
vention signed at Dresden on April 15, 1893.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. September 1893.*

LONDON :

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REPORT BY MR. HOSIE

ON THE

ISLAND OF FORMOSA

WITH

SPECIAL REFERENCE TO ITS RESOURCES AND TRADE.

[WITH A MAP.]

*Presented to both Houses of Parliament by Command of Her Majesty.
August 1893.*

LONDON:

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Report by Mr. Hosie on the Island of Formosa, with special reference to its Resources and Trade.

Mr. Hosie to the Earl of Rosebery.—(Received March 20.)

My Lord,

Forest Lodge, King's Gate, Aberdeen, March 17, 1893.

I HAVE the honour to inclose a Report on Formosa which I was unable to complete before leaving my post of Acting Consul at Tamsui. It differs from the ordinary annual Trade Report in being an attempt, however imperfect, to deal with the resources and trade of the whole island.

I am also forwarding a new Map specially prepared to illustrate the Report.

I have, &c.

(Signed) ALEX. HOSIE.

Inclosure.

Report by Mr. Hosie on the Island of Formosa, with special reference to its Resources and Trade.

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(C.) Other commercial plants—								
<i>Nicotiana tabacum</i> , or tobacco; <i>Fatsia papyrifera</i> , or pith plant; <i>Polygonum Chinense et Orientale</i> , or indigo; <i>Curcuma longa</i> , or turmeric; Dye yam.								
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Introduction.

Since the publication of Mr. Hopkins' Report on Formosa* in the year 1885 many changes have taken place in the island. It is now an independent province administered by a Governor who, although he memorializes the Throne conjointly with the Governor-General of Fuhkien and Chêkiang, is directly responsible to the Central Government. His Excellency resides for the time being at Tai-pei Fu, the only prefectural city in the north of Formosa, situated behind Twatutia, the great tea market of the island, which lies on the right bank of a branch of the Tamsui River some 10 miles from the sea. Other changes of an administrative nature have also occurred: the island has been divided up into three prefectures with departments, sub-prefectures, and districts, as under:—

North.

Tai-pei Fu:—

Tan-shui (Tamsui) Hsien.
Hsin-chu Hsien.
I-lan Hsien.
Chi-lung (Kelung) T'ing.

Centre.

Tai-wan Fu:—

Tai-wan Hsien.
Chang-hua Hsien.
Yün-lin Hsien.
Miao-li Hsien.
Pu-li T'ing.

South.

Tai-nan Fu:—

An-p'ing Hsien.
Fêng-shan Hsien.
Chia-i Hsien.
Hêng-ch'ün Hsien.
Tai-tung Chou.

* "China No. 3 (1885)."

The introduction of railways within recent years has helped to attract the attention of the outside world to this dependency of the Chinese Empire; but the hopes that rose high as to the great advantages that would result to trade from their admission have, unfortunately, not been altogether realized. The aim of his Excellency Liu Ming-ch'uan, the first Governor, was to connect the western half of the island with the port of Kelung on the north-east coast; but, through the refusal of the Chinese military authorities to listen to the advice of the foreign engineers engaged to survey and superintend the construction of the line, the railway between Tai-pei and Kelung has, owing to mismanagement near the latter place, virtually never been open to traffic along its whole length, and the ex-Governor's desire to make Kelung the chief port of Formosa is as far from realization as on the day on which the first sod was turned; nor is the idea likely to be resuscitated by his successors. Much was accomplished during Liu Ming-ch'uan's tenure of office, but at enormous expense. His Excellency was too ready listen to the schemes of foreign advisers, whose motives were not altogether unselfish, with the result that the present Provincial Government has now on its hands not a few "white elephants" in the shape of steamers, dredgers, and the like, which are run at a loss and are of little value for the purposes for which they were originally intended. Under the present Governor retrenchment and economy are the order of the day, and foreigners engaged by Liu Ming-ch'uan are being rapidly dismissed. Yet, under a single engineer of ability, the railway is still being pushed south, where there is more likelihood of better returns than to the north-east. Before the advent of railways petty cultivators sent their few bags of tea or other produce for sale to Twatutia by water or overland by carriers. Now they can forward them by rail, and, being as yet allowed to take them as luggage without any payment beyond their passenger tickets, they naturally prefer the swifter and cheaper transit. The time will come, however, when freights will be exacted, and it remains to be seen whether they will continue to transmit by rail or revert to the former methods of transport.

The telegraph line which connects the Pescadores with Tai-nan and runs along the west of the island to Tai-pei, Hobé, and Kelung, and thence by cable to the mainland at Pagoda anchorage, has undoubtedly proved of great benefit to trade.

I propose in the following pages to attempt a sketch of the present condition of Formosa with special reference to its resources and trade, and I shall have occasion to allude, at greater length than has hitherto been done, to the wealth of products that still await development.

The commercial Map annexed to this sketch will illustrate my remarks on this subject, and assist in identifying the places to which reference will from time to time be made.

I.—Physical Characteristics.

Data are still wanting on which to construct a complete physical geography, in its widest sense, of the Island of Formosa. Its geological formation, for example, has, to a certain extent, been ascertained; but the composition of the high axial range which runs from north to south through the eastern half, and culminates in Mount Sylvia (11,300 feet), and Mount Morrison (12,850 feet), is still imperfectly known. In the north and north-east especially, and throughout the island generally, there are immense carboniferous deposits; in the north-west, and on the right bank of the Tamsui River, near its mouth, there is a large conglomerate bed, rising 12 to 15 feet above high-water mark, supporting 2 to 3 feet of soil. Round the harbour of Kelung the formation is everywhere sandstone; and the sandstone banks of the higher reaches of the Kelung River are succeeded in the lower reaches by conglomerate.

At some remote period the plain in which the city of Tai-pei lies was the bottom of a lake till the pressure of the water burst the barrier (5 miles from the sea) formed by the then connected spurs of the Ta-tung Shan and Kuan-yin Shan, known locally as the North and South Hills, which rise from the right and left banks of the river to a height of 2,800 and 1,720 feet respectively. Artesian wells have been sunk in this plain to a depth of about 200 feet, and the strata met with have been layers of clay, sand, and gravel. At a depth of 60 feet blue clay was mixed with shells and wood.

The following were the strata passed through in boring a well at Twatutia:—

1. 5 feet clay soil.
2. 7 „ yellow clay.
3. 5 „ blue clay.
4. 12 „ blue sand; hard, sharp.

5. 25 feet blue clay.
6. 30 „ blue clay ; shells and wood.
7. 12 „ fine dark sand.
8. 8 „ coarse black sand ; water.
9. 50 „ blue clay and fine sand.
10. 10 „ blue clay and coarse sand.
11. Gravel, with ample and excellent water supply.

Between Tai-pei and the sea, and at a short distance from the right bank of the Kelung branch of the Tamsui River, are a number of geysers, steaming, hissing, and fuming, where sulphur is manufactured ; and in the north-east of the island, in the neighbourhood of Kelung, and on Steep Island, numerous sulphur springs are to be seen. Nor are other proofs wanting that Formosa is decidedly volcanic : the Ta-tung Shan already referred to is an extinct volcano ; earthquakes are of frequent occurrence ; and the fact that coral limestone, with oyster shells, can, in the south and east, be traced to a height of 2,000 feet, points to the upheavals to which the land has been subjected. The west coast is fringed with mud-banks, which have been, and are being, deposited from the sediment held in solution by the numerous streams which become torrents during the heavy rains, and which, rising in the ravines and gullies on the mountain sides, rush westwards across the narrow plain to the sea. While, therefore, land is making on the west, the rock-bound east coast presents its rugged front to the unceasing attacks of a restless, relentless sea.

The smallness of the island, which lies between 21° 53' and 25° 16' latitude north and 120° 15' and 122° 4' longitude east, and measures 235 to 237 miles long and from 70 to 80 miles across at its broadest part, precludes the possibility of its possessing waterways of any length and importance. As a matter of fact, the only river of any commercial value is the Tamsui River above referred to. It has three main branches : the Kelung River, rising in the north-east, not far from the port of Kelung ; the Sintiam River, coming from the south ; and the Tokoham River, flowing from the south-west. Like most rivers on the mainland (from which Formosa is separated by a channel 90 miles wide), the Tamsui River has a bar of sand at its mouth which prevents vessels of heavy draught from entering or leaving port except at high water.

The anchorage for merchant-vessels is in the channel by the right bank to the west of the village of Hobé.

Hundreds of yards of mud-banks, on which oysters are cultivated, are exposed from the left bank at low water.

There is good holding-ground, but shipping is exposed to typhoons coming from the south-west during summer ; and in heavy freshets, steamers are frequently beached on the right bank to avoid dragging, for the current is so swift and powerful during typhoon rains that vessels have great difficulty in keeping their moorings even when going full-speed ahead. At high water junks, steam-launches, and Government despatch-vessels of light draught can ascend as far as Twatutia ; beyond that point only rapid-boats and other small craft are in use.

The harbour of Kelung is the best in the island, and might be very much improved by dredging ; but even that is exposed. Owing to the silting up of the entrance to the Takow Harbour on the south-west coast, that dependency of Tai-nan has been virtually abandoned for An-ping, which, however, is an open roadstead, and consequently liable to be swept by typhoons. On the whole, therefore, the coast is far from safe, and many a ship has been driven and wrecked on these inhospitable shores.

Petroleum wells have been discovered and worked near Takow and Oulan (Houlung), but in Chinese hands they have proved a failure. Wells from which inflammable gas issues also exist in some parts, and they are, no doubt, as are the "fire" wells of the province of Ssü-ch'uan, petroleum wells giving forth oil-vapour.

With regard to vegetation, it is much more tropical than on the opposite mainland, and leads one to attribute to it a much more southern origin. But what evidence is there to support this conjecture ? It may be said that the greater humidity of the island and a richer soil would account for the great tropical luxuriance ; but these, powerful factors as they are, will not account for the presence of plants and trees not to be found on the mainland. Either, then, such plants and trees are indigenous, or they have found their way to Formosa from other lands. The rattan is a case in point. It grows to great perfection in the jungle-clad eastern half of the island, and is exported in considerable quantity from Tamsui. Now the home of the rattan (*Calamus rotang*, L.) is the Malay Archipelago, and the Chinese word *t'eng*, meaning rattan, is supposed to be an imitation of the Malay *rotang*. Is the rattan found elsewhere in China ? In the Island of Hainan

and on the adjacent mainland it grows, but Hainan lies between its Malayan home and Formosa, and this valuable creeper is probably a stranger in both islands. The Black Stream from the south, with its average velocity of 30 to 40 miles a-day, runs along the east coast, and throws on the island part of the floating vegetation which storms have detached further south. The betel-nut palm, too, a native of more southern climes, grows in Formosa and Hainan, but is unknown on the mainland between these islands.

In addition to these I might mention a variety of the banana (*Musa textilis*, Nees) which produces a large fruit unrivalled elsewhere in China, and only to be had in the same perfection in the Malay Archipelago and the Philippines. In Formosa it has found that volcanic soil which it loves. Nowhere else in China are the leaf layers which encircle the stem of this plant made to yield a fibre which is manufactured into excellent cloth (to be referred to hereafter); but in the Philippines this plant is the source of the famous Manila hemp. In the Loochoo Islands, which lie between Formosa and Japan, its economic value is also duly appreciated.

Many of the minor plants, too, which grow with wonderful profusion, are undoubtedly non-indigenous, and the *Coleoptera* and *Lepidoptera* of the island, differing widely from those on the mainland, strongly resemble, and in many cases are identical with, specimens in Hainan and the Malay Archipelago. Now, while larger plants and trees would be able to bear the transit by sea, seeds would probably succumb to the action of salt water and insects would perish, so that the Black Stream will not account for the presence of the latter. But Formosa is in the direct line of typhoons from the south, and seeds and weak fliers like beetles and butterflies could easily be caught up, carried along by these aerial currents, and dropped on the island, especially when their centres pass over it. During last year a steamer encountered a typhoon between Formosa and Japan, and, when the centre passed over the vessel, a shower of birds, butterflies, and insects, many of them alive, dropped on the ship's deck. Although it is one of the fundamental principles of geographical distribution that "the areas inhabited by any given species are continuous," yet the Black Stream and typhoons would account for the similarity and frequent identity in the vegetation and insect life of the Malay Archipelago and Formosa.

I have already referred indirectly to the tropical and humid nature of the climate; but the following Meteorological Table will give a more accurate idea of the climatic conditions actually existing:—

TABLE of Thermometrical and Rainfall Observations at Tamsui, 1887 to 1891.

Month.	1887.			1888.			1889.			1890.			1891.		
	Thermometer.		Rainfall, in inches.	Thermometer.		Rainfall, in inches.	Thermometer.		Rainfall, in inches.	Thermometer.		Rainfall, in inches.	Thermometer.		Rainfall, in inches.
	Highest.	Lowest.		Highest.	Lowest.		Highest.	Lowest.		Highest.	Lowest.		Highest.	Lowest.	
January	76	49	6.66	77	41	3.15	74	50	7.62	73	43	10.76	76	43	0.56
February	76	46	5.47	72	40	14.06	71	48	5.23	77	49	1.98	79	42	6.65
March	72.5	47.5	7.89	83	48.5	2.86	78	43	7.83	80	45	14.47	76	48	12.64
April	85.5	48	6.03	88	54	5.79	86	58	11.63	87	48	2.51	84	49	3.23
May	86	59	4.69	92	61	4.07	89	60	7.03	87	63	7.07	88	60	13.77
June	95	66	0.38	93	62	17.49	92	67	8.18	92.5	69	4.21	92	67	11.17
July	98	70	12.83	100	75	0.50	95	71	1.25	94	72	7.41	96.5	74	5.33
August	96	73	1.78	100	73	6.49	99	67	9.76	95	72	3.77	94	72	7.46
September	95	72	8.15	95	69	8.54	94	66	0.82	92	66	4.94	93	68	17.29
October	83	58.5	8.99	90	59	2.79	95	62	4.42	90	54	12.08	92	64	1.32
November	81	56	2.19	80	58	2.76	80	56	9.34	82	54	2.03	87	56	4.63
December	76	42	1.74	72	58	6.78	76	47	2.52	81	50	4.11	81	51	2.35

II.—*Inhabitants.*

If there is a doubt as to the alien origin of part of the vegetable life of the island, there can be none as to its inhabitants. The first Europeans to visit Formosa were the Portuguese, who settled at Kelung in 1590. They were followed by the Dutch, who landed in 1624. Two years later came the Spaniards; but they were expelled by the Dutch in 1642. A Chinese pirate Chief, Koxinga by name, drove away the Dutch in 1661 and proclaimed himself King; but twenty-two years later, in 1683, the Chinese dethroned his successor and asserted their authority. From that date until 1887 Formosa was a dependency of the Province of Fuhkien; but in the latter year, and chiefly in consequence of the French hostilities (1884-85) undertaken in the north of the island, the eyes of the Chinese were opened to the value attached to it by foreigners, and it was raised to the rank of an independent Province of the Empire.

As, therefore, the Chinese did not reach Formosa until after Europeans had settled there, the question is, whom did the latter find on their arrival? The Dutch during their residence taught the then inhabitants the Roman alphabet, and, in the western part of the island, documents in a language the sounds of which are represented by Roman characters may still be found in the hands of the descendants of the original writers. These documents, which are sometimes accompanied by a Chinese version, are mostly deeds and contracts, and the people possessing them are called by the Chinese "Pepohwans," or "savages of the plain," who have become so civilized as to settle down to agriculture under Chinese rule. They till the land bordering on the mountainous eastern half of the island and the Kapsulan plain in the north-east. They are, without a doubt, of the same blood as the savages who occupy the mountain fastnesses, and who refuse to be civilized and to submit to the Chinese yoke. These "uncivilized savages," as they are called, are divided into a number of tribes under their respective Chiefs, and spend their time in hunting and in growing their food and other commercial products. The Pepohwans have for the most part assumed the Chinese dress; but the mountaineers retain their own garb, which according to season ranges from nudity to gaily-coloured garments of their own weaving and manufacture. They make two kinds of cloth from rhea and banana fibre respectively, and the red ornamental stripes frequently to be seen in their clothing are obtained by introducing the red threads of foreign lastings, which are carefully taken to pieces for the purpose.

The language of the Pepohwans and the mountain savages is the same with dialectic variations, and, although the former have adopted not only the dress but also the language of the Chinese, old members of the tribes still speak the savage tongue. Are these people, then, the aborigines of Formosa, or, if not, whence did they come? They themselves declare that they are of foreign origin, pointing at the same time to the south, and they show the canoes or copies thereof in which their ancestors were carried to Formosa. But this is very indefinite, and, were other proofs wanting, there would be scant evidence to go upon. Racial resemblance and similarity of language and habits, however, supply the missing links in the chain of proof.

The majority of the savages are of a Malayan type; but the hirsuteness of some would imply a northern origin, as if their ancestors had been emigrants from some of the northern islands of Japan. It is but reasonable to suppose, from the proximity of Formosa to the Loochoo and Japan Islands, that stragglers from the latter would find their way southwards, and not many years ago the murder, by the savages, of the crew of a Loochooan junk wrecked on the east coast of the island, led to the dispatch of a punitive expedition by the Japanese Government—an expedition which all but caused a breach of friendly relations with China. In October 1892, I visited a tribe of savages who inhabit the country lying along the Sintiam branch of the Tamsui River, and I was very much struck with the Japanese type of features and build which was characteristic of several individuals out of the score or more that came under my notice. In fact, had I been told that they were Japanese, I should not have been in the least surprised. The men of this tribe were tattooed in a single vertical blue line down the middle of the forehead, and a similar line from the centre of the under lip to nearly the middle of the chin. Among the women the upper and lower lips were both tattooed, and the band of blue was carried along the cheeks to the ears, narrowing as it neared the latter. The effect was grotesque: at a short distance women looked like men badly shorn. The children were not tattooed.

As regards language, numerous vocabularies have been taken down from time to time, and the resemblance the words bear to pure Malayan, though not very marked, leaves little room for doubt that many of these people are the descendants of immigrants,

probably unwilling emigrants, from the Malay Archipelago, and in this connection I may mention that a native of the Philippines was, within the last twenty years, driven in his boat by stress of weather on the north-east coast, where he settled down and took to himself a wife. Here he was discovered by a missionary, to whom the story of his advent was related. But arguments based on language alone are not entirely satisfactory. Out of 179 words in the vocabularies above referred to, I find that only twenty-nine bear a close affinity to Malayan as spoken in the Malay Peninsula. It does not follow from this, however, that the savages had not a Malay origin; on the contrary, the resemblance goes to show that their ancestors may not have come from the peninsula itself, but from different parts of that large archipelago, including Borneo and the neighbouring groups of islands. The chances are that they arrived from time to time from different islands, and so far amalgamated as to borrow from each other's tongues. This may almost be considered a certainty, for the twenty-nine words which have a close affinity to Malayan are found not in one dialect, but here and there in the dialects of the Tsuihwan, Sekhwan, Buhwan, Pepohwan and Pelam, as the six generally recognized tribes of these aliens are called.

As might naturally be supposed, they did not leave their habits behind them. Some of the tribes are head hunters. I have seen the very bags of network which they carry to hold the heads of their victims, and the sword, sheathed on one side only of a Chief, who, when on the point of being beheaded, said to the Chinese official in charge of the execution: "I have no fear of death; I have taken ninety-four heads, and only wanted six to make the hundred."

There is still another piece of evidence. I am informed on excellent medical authority that a variety of ringworm, called *Tinea imbricata*, is a common skin disease among the savages, and that only one case has come to the notice of medical men in China proper, and it was the case of a Chinaman who had returned to Amoy from Singapore, where he had contracted the disease. Doubtless the savages brought their special ringworm with them.

To the east of, and mixed up with, the Pepohwans are the Hakkas, a hardy Chinese race, who trade with the savages of the mountains, and who are gradually clearing the jungle and driving the latter still farther into their fastnesses. The result is frequent outbreaks, which it requires the presence of Chinese soldiers to quell. Unaccustomed as these braves are to warfare in the mountains, they generally get the worst of the fighting until, both sides weary of the fray, a truce is made, only to be broken at no distant date. It is difficult to say which side is to blame for these constant outbreaks; the Chinese are steadily encroaching, while the savages are bent on head hunting, and declare that unless they take a few Chinese heads now and again "there can be no peace." In this guerilla warfare more lives on the Chinese side are sacrificed to fever than to wounds.

Bordering on the Pepohwans on the other side and inhabiting the western plain to the sea are Chinese immigrants, or their descendants, from the Fuhkien and Kwangtung provinces, who constitute the agricultural and industrial classes of the island.

The total Chinese population of Formosa, including the Pepohwans, is estimated to amount to between 2,000,000 and 3,000,000, but it is impossible even to guess at the numbers of the savage tribes.

III.—Agriculture.

As the level part of Formosa is, as already stated, peopled by immigrants from the Fuhkien and Kwangtung provinces, agriculture is conducted on much the same principles as on the adjacent mainland, the only difference being that, whereas the opposite seaboard is stony, and in many places scarcely repays the labour spent upon it, the soil of Formosa is bursting with fatness, and yields with unparalleled profusion. As an example of this, I may mention that the tea shrubs which now dot the hill-sides of the north of the island were originally introduced from An-ch'i, one of the poorest districts of the Fuhkien Province; that nowhere can a purer leaf than that of Formosan tea be now obtained; and that the once considerable tea trade of Amoy, the port through which these very tea plants were imported, has, within recent years, been almost superseded by the fine teas now produced in the island.

It is my intention in this chapter to treat of food products only; other fruits of the soil I have considered it better to deal with in the next two chapters on the economic botany and special industries of Formosa.

As in South China generally, rice, of which two crops are harvested during the year, occupies the greater part of the land from April to November. The seed bed is

prepared in March, and in that month the seed is sown. In April the shoots are long enough to be planted out in the fields, and in the end of June or beginning of July the first crop is ripe for the sickle. As soon as it has been gathered in, the same fields are ploughed or broken up by hoe or other rude implements, and fresh shoots from a second seed bed are again planted out, to ripen in the end of October. Rice is the thirstiest of plants, and requires a continuous supply of moisture; but Formosa is well favoured in this respect, and near the port of Tamsui a considerable volume of clear water flows unceasingly from a hill-side, and is carried off by different channels to water the beautifully terraced hill-sides sloping down to the river on the one hand, and into valley after valley on the other. Hill rice, which is content with an ordinary rainfall, is also grown in the mountains, where irrigation is not available.

Some thirty years ago the island was known as the "Granary of China," and from it rice was largely exported to the mainland; but the great influx of labourers since that time has necessitated a shrinkage in the export, the supply nowadays being little more than sufficient to meet home requirements, except when the harvests prove exceptionally bounteous. In the year 1870, for example, about 10,000 tons of rice were sent away in vessels of foreign type from Taiwan (now Tai-nan) and Tamsui, while in 1891 the export was a little over 10 tons, and about 32 tons in 1890. These shipments were from Tai-nan; but at Tamsui rice was imported to the extent of 2,658 and 2,210 tons in these respective years, when the crops in the north of the island were much below the average.

Next in importance to rice as an article of diet among the Chinese in the south is the sweet potato—*Batatas edulis*, Chois.—of which, like rice, two crops are usually gathered during the year. It may be seen everywhere in Formosa, its long, tough, creeping tendrils, and leaves shaped something like the ivy, but much thinner and lighter in colour, matting the ground in which it grows. The number of crops of this valuable food-bulb depends not only on the climate, but also on the soil. In the north of China the summer heat lasts long enough to mature one crop only, while in the south two, and where the land is rich and well manured three, crops are obtained. Two crops are the rule in Formosa, and a word as to the method of cultivating this bulb may not be out of place. In March—I am now speaking of Formosa—bulbs of the previous year are selected and planted in soil well loosened and manured with wood ashes. After the lapse of a month or six weeks shoots from the eyes have attained a length of a foot or more. These are then cut off and planted in a somewhat slanting direction in raised drills specially prepared for them—the cut ends in the drill—and are at once watered with liquid manure. In some cases, cuttings are again taken from these shoots when they are of sufficient length to be cut without detriment to the plant, and I am told, without, however, any proof being adduced, that the bulbs harvested from these second cuttings are the best. The method described above is followed in planting the second crop in July, the first crop being ripe in the end of June and the second in October or beginning of November. Several varieties of the sweet potato are cultivated, the bulbs varying in shape from long oval to spherical, and in colour from brownish red to white.

In addition to rice, the other cereals cultivated in Formosa are wheat (*Triticum vulgare*, L.) which is sown in November and reaped in May; millet (*Panicum miliaceum* and *Panicum crus-galli*, L.), as well as the tall millet (*Sorghum vulgare*, Perse), maize or Indian corn (*Zea mais*, L.), and buckwheat (*Polygonum fagopyrum*, L.). All these, with the exception of wheat, occupy the land during the spring and summer.

Besides the sweet potato, other bulbous plants are cultivated for food. Of the family *Araceæ*, seven species, six of which are cultivated, are distinguished round Tamsui. Of these six species two grow in water, that is to say, in submerged fields, and four in dry land. The water species are called locally *Pin-lang hsin yü*, or betel-nut hearted taro, and *Hung-yü*, or red taro. The former, which produces only one large bulbous rhizome, is no doubt *Arum macrorrhizum*, L., and derives its local name from the resemblance in colour of the flesh of the rhizome and the interior of the betel-nut, both being greyish white spotted or streaked with red. As the betel-nut palm (*Areca catechu*) grows abundantly in Formosa, the name given to this species of *Arum* is in all probability purely local. On the upper surface of its large, green, heart-shaped leaves there is a round purple spot, about the size of a 5-cent piece, at the junction of the petiole and the leaf. Another species, to be mentioned hereafter, has the same peculiar mark. The other water species—the red taro—produces several reddish-coloured ovoid bulbs. Its petioles are somewhat red in appearance.

The four species that grow in dry ground are:—

1. *Kou-ti yü*, or dog's footprint taro, so called from the arrangement of its white

ovoid bulbs round the central rhizome. These bulbs grow to the size of a hen's egg, and are much appreciated by the Chinese. To the European palate they are very tasteless. This plant is the true *Arum esculentum*, L.

2. *Pai-yü*, or white taro.

This produces several bulbs more elongated than those of the last species, and whiter in colour, but they are not so highly prized as the bulbs of the next species.

3. *Mien-yü*, or floury taro.

As the name implies, the white bulbs of this species are made into flour, which is largely used mixed with wheat flour or separately. The purple spot already alluded to as a distinguishing peculiarity of *Arum macrorrhizum*, L., is also found on the leaf of this species.

4. *Hung-chu yü*, or red bamboo taro.

This species does not produce underground bulbs, but from the rhizome, which is on the surface of the ground, shoots are sent forth much in the same way as bamboo shoots. Hence the name. These shoots or buds are collected before they unfold, stripped of their leaf coverings, and boiled for food.

In addition to the above, there is another taro which grows wild on the hills. It goes by the name of *Shui-yü*, or water taro; but its bulbs are not utilized for food.

Of the *Dioscoreæ*, or yam family, two varieties are cultivated near Tamsui, one producing red bulbs, the other white. They are probably the *Dioscorea japonica*, Thunb., and the *Dioscorea sativa*, L.

Beautiful groves of bamboos are met with in the north of Formosa, and throughout the island generally, and their shoots, which spring up early in the summer, are much in demand for food. In autumn the shoots, or rather the semi-developed flower and fruit buds, of the *Chia-pai sun*, a flag or sedge which grows on the banks and in the beds of streams and rivulets, are highly appreciated, and, in the absence of foreign vegetables at that season of the year, are welcomed by Europeans. When properly cooked they have the appearance, without the delicate flavour, of asparagus.

The lotus (*Nymphaea nucifera*, L.) grows in ponds throughout the island, and its rhizomes are, as in other provinces of China, made into a kind of arrowroot, which, however, is rather insipid. The seeds or nuts, too, of the lotus, are greatly esteemed.

Nor should I omit in this place the ground-nut (*Arachis hypogæa*, L.), which, planted out in spring, bears tiny yellow flowers on its clover-like stalks in August and September, and is ripe in October and November. It is very largely consumed by the Chinese—for the most part roasted; but it is still more valuable as a seed-oil producing plant, and will be found treated of at greater length under the head of Economic Botany.

Sesamum Indicum et Orientale will also be discussed under the same head, for, useful as the seeds are in making cakes, they are of still greater importance on account of the oil which they contain.

Pretty little gardens carefully fenced with bamboos may often be met with at the foot of the hills to the north-east of the harbour of Tamsui. These, on closer examination, will be found to contain ginger plants (*Zingiber officinale*, L.) growing in rows, and cultivated for their rhizomes, which are sliced and eaten fresh as a condiment to the usual diet of rice. They are not preserved as in Canton and other parts of China.

The vegetables grown in the island include the onion, leek, cabbage, spinach, celery, turnip, garlic, and a variety of peas and beans. In this list are not included the vegetables introduced by foreigners, and grown, for the most part, in private gardens. The foreign or introduced cabbage thrives wonderfully, the heads frequently weighing as much as 20 lbs. a-piece. Water-cress is found in the streams of North Formosa. The tomato is indigenous and grows wild on the hills, but the fruit is small, and is not cultivated by the natives for food. The water-melon, pumpkin, several kinds of cucumbers, and the egg-plant (*Solanum melongena*, L.) are also grown.

The fruits of the island are the arbutus, banana, guava, jack-fruit, lung-ngan, mango, orange, peach, persimmon, pine-apple, plum, pumelo, and quince. The *Pandanus odoratissimus*, L., or screw pine, produces a fruit which resembles the true pine-apple; but it is much coarser and inedible. A few lichee trees may be seen near Tamsui, but they yield a fruit much inferior to that grown on the mainland from Canton to Foochow. The same holds good as regards the quality of the pumelo, and both kinds of fruit are largely imported through Amoy. On the fruit stalls one may see pumeloes with a part of the green skin shaved off, and "Amoy Pumelo," in Chinese characters, written on the exposed white surface.

The guava tree grows wild in North Formosa; it is everywhere prominent, on hill

slopes and by the road sides, and, wherever there is a patch of waste or uncultivated land, there it will be found, but the fruit is very inferior.

The jack-fruit, although little to the taste of the Chinese, is much esteemed by the Pepohwans.

IV.—*Economic Botany.*

Although every plant has, without a doubt, its special value in the world, could that value be ascertained, yet there are certain plants which have, so to speak, thrust their usefulness before the eye of man, who has sooner or later been able to comprehend it. He has, for example, learned that certain plants contain fibre tissues which can be manufactured into cloth, or that the fruits of others, although not suitable for food, yield oils which can be used for a variety of purposes. As an instance of the former, take that beautiful palm, the *Chamærops excelsa*, Thunb., an examination of whose brown fibrous leaf-sheaths reveals the fact that each sheath is in reality a piece of cloth, loosely woven it is true, but composed of a web and a woof, affording an object lesson which the natives of Eastern climes have eagerly turned to account. As an instance of the latter, there is the *Stillingia sebifera*, S. and N., whose beautiful foliage with its ever varying tints compels the attention of the most careless observer of nature, and whose fruit, when ripe, rids itself of its hard protective covering, and presents its soft mealy mesocarp for manipulation into vegetable tallow.

China is the home of a large number of economic plants of great commercial value, and of these Formosa, small though it is, possesses a very considerable proportion. In this respect the island is indeed wealthy; but up to the present, neither the native nor the foreigner has taken full advantage of that wealth. These plants I propose to discuss under the following heads:—

- (A.) Textile plants.
- (B.) Oil-producing plants.
- (C.) Other commercial plants.

(A.)—TEXTILE PLANTS.

This class includes not only such plants as yield fine fibres, like rhea, but all plants from which articles of any description can be woven, whether by loom or by hand. I do not contend that the list is complete; but, having studied the textile plants of China whenever and wherever I have had the opportunity, for the last three years, I do not think that the omissions, if any, can be of any great importance. And I may say at once that three of the most valuable textile plants cultivated in China are not grown in Formosa. They are *Gossypium herbaceum*, L., or the cotton plant, *Cannabis sativa*, L., or the true hemp plant, and *Abutilon avicennæ*, Gaertn., a plant which yields Abutilon hemp.

1. *Boehmeria nivea*, Hook. and Arn.

This, which is known as the grasscloth, rhea, or ramie plant, has of late years received considerable attention in India, France, and the United States. Many attempts have been made to produce machines for decorticating the stems and separating the inner white fibre from the outer green cuticle of the ribbons, but perfection has not yet been attained. In the year 1890 I had occasion to forward to the Government of India a Report* on the cultivation of this plant and on the extraction and preparation of its fibre as practised in China, so that I need not enter into minute details here. A short summary of the contents of that paper will, therefore, suffice.

The main requisites for the successful cultivation of rhea are a rich soil, a moderate rainfall, and sufficient heat. The area of cultivation in China is defined by the winter temperature; where the least frost is experienced the rhizomes of this perennial have to be carefully protected by manure spread on the surface of the land, so that the northern provinces are debarred from its cultivation. In Formosa, the soil and temperature are exactly suited to its wants; but the heavy rainfall of the island is somewhat injurious to its growth. It is propagated by rhizoma cuttings, and is extensively cultivated both by Chinese and savages. The grasscloth of the former is well known, but the latter manufacture from its fibres an excellent tough white cloth of

* Published in vol. ix, Part I, of the "Journal of the Agricultural and Horticultural Society of India." Calcutta, 1891.

unusually close texture, which is specially adapted for rough wear, and which is utilized by foreigners for making shooting suits.

Three crops of rhea are harvested during the year—in June, August, and October. In three months the stems attain a height of from 6 to 10 feet. They are then cut down near the roots and carried to the owner's house, where the green ribbons with adhering fibre are peeled off by hand. The next process is the removal of the cuticle and the bleaching of the fibre. The ribbons are made up into loosely tied bundles, which are placed in a tub of cold water. When the workman is about to remove the green cuticle from the fibre, he places on the thumb of his right hand a wide copper ring, on which a small flat piece of bamboo has been fixed, the piece of bamboo resting against the face of the thumb. In the same hand he holds an iron instrument like a shoe-horn, in such a position that he can grasp anything between the piece of bamboo and the blunt inner edge of the hand instrument. A bundle of the ribbons is then taken from the tub and unfolded. Taking ribbon by ribbon from the bundle with his left hand, he grasps it about 6 inches from the wide or butt end,—the cuticle or outside the ribbon against the piece of bamboo,—and scrapes it to the tip. After a couple of scrapings the whole of the cuticle, with the exception of the 6 inches or so at the butt, is removed, and, when ten or a dozen ribbons have been treated in this manner, the workman reverses them, and removes the cuticle at the butt ends. The fibres, which remain in his left hand, are hung out over bamboos in the sun to dry and bleach for six hours, when they are white and ready to be packed into bundles for market. One man can extract some 8 lbs. weight of fibre in a day of ten hours, and an English acre of land yields about 900 lbs. of fibre.

At Wênchow, however, where I made a special study of this plant and its economic value, I found a very ingenious labour-saving arrangement employed in harvesting the stems, and, as it deserves more attention in eastern countries than it has yet received, I do not hesitate to quote the description of it given in my Report to the Government of India: "The workman seizes each stem 9 inches above ground between the thumb and fingers of the right hand, snaps it over to the right causing a fracture, lays hold of the stem below the fracture with his left hand, pushes down and sideways the upper part of the stem on the fracture to complete the division of the wood, inserts the forefinger of the right hand in the fracture, which is now compound, and draws it up between the peel on the left and the wood and adhering peel on the right, removing on its way branchlets, leaves, and tip. He then draws down the peel on the left with his left hand to the root, where it is readily detached. In like manner the peel and wood on the right are removed at the root, and the wood, being but loosely attached, can be readily separated from the peel. The whole operation is simplicity itself, and can be conducted with the greatest rapidity. The result of repeated timing is that 100 stems can be peeled without haste in fifteen minutes, that is, at the rate of 400 an hour. . . . The peeled stems and the discarded leaves, &c., remain on the field as manure."

The distinguishing feature of the rhea plant is the beautiful white silvery undersurfaces of its leaves; but in its wild state—it is found wild but stunted everywhere on the hills and roadsides near Tamsui—this colouring is absent, and it would seem, as I noticed at Wênchow, that when the plant strays from cultivation it quickly loses its distinctive marking. On the other hand, the copious presence of the wild plant in the island would lead to the supposition that it is indigenous, and no more interesting experiment could be made than to cultivate it and ascertain whether its civilization would be attended by an assumption of the colouring of the present cultivated plant.

Some years ago, a foreign firm at Tamsui imported a Deane machine for decorticating the stems and extracting the fibre. The firm was, however, too ambitious: it wanted to produce an article like floss-silk, and after the fibre was extracted by the machine, it was boiled and otherwise chemically treated. A silk-like fibre was ultimately produced, but it was found impossible to reduce it to the necessary softness. The expense, too, was great, and, had the firm been content to extract the fibre and leave its further manipulation to the manufacturer, the machine might still have been a work.

2. *Corchorus capsularis*, L.

This is the plant which yields true Indian jute, and should not be confounded with *Abutilon avicennæ*, Gaertn., from which the so-called jute of Northern China is derived. It is an annual: the seeds are sown in April or May; the plant has lanceolate, glabrous leaves; in August clusters of small yellow flowers, followed by round ribbed seed capsules, spring from the stems, which attain a height of from 9 to 12 feet, and are

ripe for harvesting in September. They are removed by the roots, and stems and branches are pulled by one man through two pieces of rounded wood grasped at the ends by the two hands of a fellow workman. In this way the roots are wrenched off, and the central woody matter of the stems is crushed and separated from the peel which is dried, made into bundles, and in this form is known in the market as "hemp-skin." In this raw state it is of no value to the manufacturer, and is used for making ropes. When, however, it is intended to make sacking or coarse cloth the stems are steeped in water, and the brown cuticle is then easily removed by passing the peel between two pieces of bamboo worked by hand. The bast or fibre is afterwards bleached, and assumes a whiter colour.

This plant is largely cultivated in North Formosa, and as soon as one passes Kantau and enters the Tai-pei plain, large fields covered with its long graceful stems may be seen in autumn on both banks of the Tamsui River. The fibre is used principally for making the bags in which the tea is brought from the hills into the Twatutia market.

3. *Ananas sativus*, Baker.

Formosa is a great pineapple-growing country, but it is in the south of the island that a valuable fibre is, for the most part, extracted from the leaves of the plant. These are scraped with a bamboo knife, shredded, and the resulting fibre washed in cold water, especially water in which rice has been cleaned. It is then hung out in the sun to bleach for a day or two. I have seen leaves of this plant passed through the Death machine above referred to, and a beautiful white silky fibre obtained.

4. *Musa textilis*, Nees.

The extraction of fibres from the leaf-sheaths of the banana and the manufacture of a yellowish cloth therefrom are entirely confined to the savages. I have not witnessed the process of extraction, nor have I been able to glean any information regarding it, and I cannot, therefore, say whether it is more primitive than, or an advance on, the system employed in Manila, where the leaf-sheaths are passed between a long heavy knife and a flat piece of wood fixed on a log, the former being so connected with a series of primitive levers as to be easily moved by pressure of the workman's foot. This plant, as I have already stated, yields the famous Manila hemp.

5. *Chamærops excelsa*, Thunb.

I have stated above that this is the palm which presents, in the brown fibres which spring from the edges of the leaf-sheaths, pieces of manufactured cloth. These are sewn together, and are much used by the peasantry and fishermen of China as rain clothes. The fibres are also teased out and made into ropes and cables for junks, and it is no uncommon occurrence to see heaps of old rain clothes being treated in the same manner. The tree is met with everywhere in North Formosa.

6. *Cyperus tegetiformis*, Roxb.

This rush, which is triangular, or three-sided, grows abundantly in salt, marshy ground on the west coast of the island. It is planted out much in the same way as paddy shoots, and is used for mat making. The rushes, when ripe, are cut down and made into bundles, and, when the tips and flowering parts have been removed by a long sharp knife, they are cut up vertically into various degrees of fineness, according to the quality of the mats to be manufactured. The great centre of cultivation and manufacture is the country round a place called Tyka, in latitude 24° 22' north and longitude 120° 36' east, and the mats are generally known as "Tyka mats." The best quality mat is exceedingly fine and soft, and can be folded up and laid aside like a piece of cloth.

7. *Broussonetia papyrifera*, Vent.

The paper mulberry grows into a tree in Formosa. The inner fibrous bark of the tree is removed, beaten by mallet into pulp, and mixed with water. A wooden framework is passed through the mixture, part of which adheres to it and becomes a sheet of paper. This is afterwards coated with wood oil to render it waterproof, and then made up into the paper coverings of Chinese umbrellas. The fibres of this tree are not, so far as I can gather, made into clothing, as in some parts of Japan.

8. *Alpinia mutica*, Roxb.

This plant grows wild on the hill-sides in North Formosa. In summer it carries a head, which shoots out from the stem with its long sword-shaped leaves, of beautiful waxy flowers, white on the outside, and passing from orange to reddish purple from the inside of the lower part of the round bell-shaped petal to the tip. In October the fruit is ripe.

Last year, towards the end of that month, I made a trip to Ku-chu, on the savage border, and, walking over the hills between Sin-tiam and the border town, I noticed bunches of large red seed capsules peeping out from the green mass of ferns, undergrowth, acacia, and pine, with which the hills were clad. The stems, which grow from 4 to 5 feet in height, are cut down near the ground, stripped of their leaves, and beaten on a stone by mallet to render them soft. In this loose state the outer layer is easily removed by hand, revealing a rough coarse fibre, which is steeped for a time in water, and then spread out to dry in the open. It looks like straw, but is much tougher, and its principal use is for making the uppers and soles of "straw" shoes. The plant is not cultivated; the seed capsules burst when ripe, and allow the seeds (twenty-seven to forty-five in each capsule), each of which is enveloped in a thin grey membrane, to fall to the ground, where they are protected by the tangled undergrowth. The chief centres for extracting the fibre in North Formosa are King-bé (Ching-wei), between Tai-pei and Sin-tiam, Sin-tiam itself, and Ku-chu.

9. *Pandanus odoratissimus*, L.

The screw pine grows profusely in North Formosa, and is largely used for fencing the fields. It produces a fruit not unlike the true pine, but much coarser and more fibrous. Its fibre, principally derived from the suckers thrown down from the stem, is used for making the edgings of the uppers of "straw" shoes, the other parts, including the soles, being made of the fibre of No. 8—*Alpinia mutica*, Roxb. The plant grows to a height of 10 to 12 feet, with bunches at the top of the stems of long, narrow leaves, tapering to a fine point, spiked along the edges, with a row of spines along the centre of the back of the leaf. Indeed, the leaf is not unlike that of the true pine plant, which, however, has the spikes more numerous along the edges, spiked tip, but no dorsal spines. In the suckers good paint brushes are found; a piece is cut off, and one end is flattened between two stones. The tips of finer brushes and even Chinese pens are also made from the fibres of the interior of the fruit, which ripens much later than the true pine, being green as late as November.

10. *Oryza sativa*, L.

The straw of the rice plant is much used for making sleeping mattresses, of which almost every bedstead in the humblest dwelling possesses one or more. These mattresses consist of layers of straw, sewn together, a couple of inches thick. Rice straw is also used, mixed with bamboos, in the manufacture of coarse paper.

11. *Triticum vulgare*, L.

A like use is made of wheat straw, but Formosa grows little wheat, and does not take part in that great industry of straw-braid, the manufacture of which is confined to the northern provinces of Chihli and Shantung.

A word here in regard to the straw-braid industry may not be out of place, even in a sketch of Formosa. In Northern China the wheat crop is first harvested, and the straw is used for weaving the braid, whereas in Italy the grains are not allowed to ripen, and the cereal is cultivated for its straw only.

12. *Bambusaceæ*.

To catalogue the uses to which the bamboo is put in China would be no easy task; but it would be just as difficult to point to any industry, and say that in it there is no place for the bamboo. Needles, furniture of all kinds, baskets, buckets, gas and water pipes, fishing rods, masts, and hundreds of other things are made from the bamboo, and the only articles of this ware which struck me as being novel and peculiar to Formosa, and that, too, to the savage part of the island, were ear-rings, consisting of whole ornamented pieces of the smaller stems passed through large holes pierced in the lobes of the ears, short tobacco pipes, of which the roots formed the bowls, and a musical instrument resembling, and producing a sound like, a jew's-harp.

13. *Calamus rotang*, L.

I have already referred to the rattan as a stranger in Formosa. It is found creeping in the jungle, and many a Chinaman has lost his life while stooping down to insert his knife in the thorny sheath which encircles the rattan in its natural state. It grows in savage territory, and the savage spear has often pierced from behind the unwary rattan collector. Like the bamboo, its uses are endless: the thinner stems are used whole for making chairs and furniture of various kinds, but when finer work is required the stems are split up and woven into mats, mattresses, and kindred articles.

14. *Pueraria thunbergiana*, Benth.

This trailing vine is found in North Formosa, but, so far as I can gather, its tendrils are not, as in the Yang-tsze Valley, and especially at Ho-k'ou, near Kiukiang, treated for the fibres, from which is produced an excellent cloth, strong, durable, and cool.

15. *Agave Itali*, or Henequen.

In Formosa this is a very prominent plant. Its leaves grow to a length of from 6 to 10 or more feet, with spikes at their tips and thorns along the edges. It is not treated either there or on the mainland, where it also grows in great profusion, for its fibres, nor is it put to any use whatever except to fence the plots of land from the inroads of the ubiquitous pig. I drew the attention of foreign merchants to the economic value of the plant, and had a number of leaves passed through a Death machine, the resultant being a good white, if somewhat coarse, fibre. The leaves are, indeed, one mass of fibre, and there is every probability of a suitable machine being imported for extracting and cleaning it.

16. *Sterculia platanifolia*, L.

In the Yang-tsze valley the fibres of the young shoots of this tree are made into fuses for matchlocks, and into twine. The tree grows in Formosa, and the fibres of the young trees, when from 8 to 10 feet in height, are, in savage territory at least, extracted and used for ropes and cordage. The fibre extracted from these saplings very much resembles the fibre yielded by *Abutilon avicennæ*, Gaertn, and might, with advantage, be put to more important uses.

(B.)—OIL-PRODUCING PLANTS.

Since the introduction of kerosene oil into China the demand for native lighting-oils has been on the decline, but for cooking purposes some of these oils are produced in large quantities. Oil-yielding seeds are likewise exported, to a limited extent, to foreign countries, where the oil is extracted and used to adulterate more valuable oils.

Of the seventeen oil-producing plants cultivated in China, eight grow in Formosa. They are:—

1. *Dolichos soja*, L. (?)

More oil is extracted from the bean than from any one of the other oil-yielding plants of China. The two kinds of bean treated for oil are small in size and oval in shape, one having a whitish yellow epidermis and interior, the other being green throughout. They are probably sub-varieties of the *soja* bean. The process of extraction is worthy of description.

The first thing that strikes the eye of a visitor to a bean-oil factory is the enormous stone wheel which is used to crush the beans. It is of dressed granite, about 10 feet in diameter and $2\frac{1}{2}$ feet thick at the axis, gradually contracting to a foot at the rim. This wheel, which is of an enormous weight, revolves in a well 30 to 36 inches broad, paved with stone, and bounded on each side by a low wall of concrete some 3 feet high. The massive wooden axle on which the wheel revolves has its opposite end firmly fixed in a huge beam, which rises vertically from the centre of the circle formed by the inner wall of the well, and which revolves with the wheel. Behind the wheel, and supported by a plank fixed on and near the opposite end of the axle, is a wooden framework, which just sweeps the floor of the well. The front of the framework has a metal share like a plough, and affixed to the rear is a small square of wood inclined to

the inner wall of the well, with a loop of rope or leather nailed to it. The beans to be crushed are heaped in the well against the inner wall. Two mules, blindfolded, are harnessed to the wheel, one in front, the other behind, and walk outside the outer wall. At the first revolution nothing is crushed, but the loop at the end of the framework drags the beans on to the floor of the well, and at the second revolution these are crushed and swept towards the outer wall by the share, making way for a fresh supply of beans dragged on by the loop arrangement at each revolution. The beans are flattened into thin round wafers, and are crushed a second time before they are ready for further manipulation. After the second crushing, bean wafers sufficient to make a cake 4 inches thick and 2 feet in diameter when compressed, are put in a square piece of sacking, and placed on a wooden grating above a cauldron of boiling water. In a few minutes they are rendered quite soft by the steam which passes up through the grating to the sacking and its contents. During the process of steaming, another workman has been arranging a series of soft straw brooms, which are also steamed, so as to form the bottom of a couple of narrow metal bands surmounted by a wooden casing, over which the long tips of the straw brooms project. Into this the steamed beans are poured and trampled down by foot till the mass is quite hard. The projecting straw tips are then brought over the top of the beans by foot, and trampled down so as to form a covering. The wooden casing is removed, and the metal bands arranged a short distance apart near the top and bottom of the cake respectively. The whole is then put into a primitive wooden press, and subjected to considerable pressure by the driving in of successive wedges. The oil is expressed and drains into an underground tank, the top of which is on a level with the stone-guttered slab on which the lowest cake rests, for half-a-dozen cakes, one above the other, may be undergoing pressure in the same press at the same time. When all the oil has exuded from the cakes they are taken from the press, the metal bands and straw casings are removed, and, after being left to dry for a time, they are ready to be shipped to other parts of China for manure. The beans yield about 10 per cent. weight of oil, and the cakes, when removed from the press, weigh some 64 lbs., and are worth about 2s. 9d. each. They constitute a very valuable manure, and are carefully macerated before being applied to the soil.

To show the commercial value of this industry, I may mention that 60,000 tons of bean cakes were exported from Chefoo during 1890. Nor is Chefoo the principal exporter. Newchwang sent out over 156,000 tons in the same year. In Formosa these beans are grown, and the oil is extracted in the above manner, but only in quantities sufficient to meet local requirements. The refuse cakes are not exported. The oil is used for both cooking and lighting purposes.

2. *Brassica Chinensis*, L.

Rape is usually a winter crop in China. Towards the end of October the seeds are planted about a foot apart in beds; in March the plants are in full flower, and in early June the crop of seeds is harvested. This refers to Mid-China, where the temperature is mild and frost is not so severe as to retard sowing till after winter. It is more widely cultivated in China than any of the other oil-yielding plants. The seeds are treated much in the same way as beans, being crushed, steamed, and subjected to pressure. Like the preceding, rape-oil is used for lighting as well as for cooking.

3. *Sesamum Indicum et Orientale*, D. C.

Both the white- and black-seeded varieties of sesame are cultivated in China, and from Formosa there is a very considerable export of seeds which find their way to France, where sesame is largely used to adulterate olive oil. It is a summer crop; the seed is sown in May, usually in rows with other crops, such as cotton on the mainland; the plant blossoms in July; and the harvest takes place in September and October. Sesame is essentially a food oil. Refuse seed-cake is much used in Formosa for adulterating opium.

4. *Arachis hypogæa*, L.

The ground-nut, a native of Africa, is extensively cultivated in China, not only for the food which the nuts supply, but also for the oil which they contain. Although the Chinese have not yet discovered a good practical method of removing the shells before pressing, yet the oil, necessarily impure on that account, is highly appreciated as a food, as well as a lamp, oil. To obtain the oil, the nuts are roasted, rolled, winnowed—to get rid of the shells—steamed, and pressed. The plant prefers a sandy soil, such as is found

in the neighbourhood of Chefoo, but it appears to be equally at home in Western China and in Formosa. I may say, without fear of contradiction, that these nuts will be found on every roadside stall in China.

5. *Stillingia sebifera*, S. and N.

From the seeds of the vegetable tallow tree, both tallow and oil are produced. They are used for lighting purposes only, and, as the method of extraction is ingenious, a short description thereof may be of some interest. When the fruit is ripe the dark brown protecting covering which encircles each seed opens and falls to the ground, leaving exposed bunches of greyish-white berries, which resemble coffee-beans in appearance and size. These are collected by hand, steamed, and thereafter pounded in an ordinary rice trough. By pounding, the soft mealy mesocarp is partially separated from the kernels. The whole is then placed in a bamboo sieve, the meshes of which are just large enough to allow the mealy matter to be scrubbed through, and small enough to keep back the kernels, which are hard, black, and about the size of peas. From the mealy substance the tallow is expressed in primitive wooden presses. The oil is derived from the kernels in the following manner. They are dried in the sun and passed between two mill-stones held at such a distance apart, by means of a bamboo pivot, as to crush the hard shells of the kernels without injuring the white interiors. The whole is then passed through a winnowing, which separates the broken shells from the solid matter. The latter is thereafter placed in a deep iron pan over a fire, the crushed oily shells making an excellent fuel, and roasted till it begins to assume a brownish colour, the process being accompanied by continual stirring to prevent burning. It is then crushed by a huge stone-roller in a circular stone well, steamed, made into cakes, like cheeses, with bamboo and straw casings, and passed through the wooden press. The resultant is a good lighting oil of a brownish-yellow colour.

I have already alluded to the remarkable ruddy tint which the foliage of this tree assumes in autumn, a tint which lights up the landscape wherever the tree grows, and forces its beauty on the beholder. Although it grows wild and uncared for in North Formosa, no use whatever is, so far as I can ascertain, made of its fruit. There, too, the berries appeared to me to be inferior and much smaller than those produced by the cultivated and well-tended trees on the mainland. But the secret no doubt is that, whereas in Formosa the tree is utterly neglected, in the great centres of tallow and oil manufacture in China it is grafted, and consequently yields superior fruit.

6. *Camellia thea*, Link.

In all the tea-growing districts throughout China, the seeds of the tea-plant not required for raising new bushes are collected and treated for their oil, which is employed for both food and lighting.

7. *Cinnamomum camphora*, N. and E.

Although the camphor laurel is found in many of the provinces of China, where it is highly valued on account of its wood, yet Formosa is the only province in which camphor is manufactured. I shall have occasion to deal hereafter with this industry, and need only mention in this place that when the camphor is being distilled from the chips of camphor-wood an essential oil exudes and drops into the boiling water underneath. This, as well as the liquid which exudes from the camphor when awaiting shipment, is collected and exported under the name of camphor oil. It is used for chemical purposes.

8. *Ricinus* sp.

The castor-oil plant grows wild throughout Formosa; but in the north of the island oil is not extracted from the seed, nor is any use whatever made of the plant. In the south a little oil is extracted for purely local uses, but no attempt is made to cultivate the plant. This species, which has green stems and leaves, does not attain the height of *Ricinus communis*, which is distinguished by its purple stems, branches, and leaves. The latter, grown from imported seed, may be seen as an ornamental shrub in gardens near Tamsui.

I have not included *Diospyros kaki*, L. f., which grows in Formosa as well as on the mainland, among oil-producing plants, for the juice of its fruit should be classed as varnish and not as oil.

(C.)—OTHER COMMERCIAL PLANTS.

In addition to textile and oil-producing plants, there are others, cultivated as well as wild, which are of considerable commercial value.

1. *Nicotiana tabacum*, L.

Tobacco is grown in Formosa both by Chinese and savages. The latter, indeed, are great consumers: some of the tribes roll the leaf into large cheroots, while others smoke it in pipes made of the root of the bamboo. The women are as much addicted to the weed as the men.

2. *Fatsia papyrifera*, B. and H. f.

In Western China this plant, cultivated for its pith, which is shaved into sheets of the so-called "rice" paper, is merely a bushy shrub, whereas in Formosa it grows wild, attains to the dignity of a tree, and is frequently seen over 6 feet in height. The stems, which are usually about 3 inches in diameter, are constantly being cut down, and the pith extracted and exported.

3. *Polygonum Chinense et Orientale*, L.

These two varieties of the indigo plant are cultivated in Formosa for the valuable dye which their leaves yield. Other dye-plants grown in the island are:—

4. *Curcuma longa*, L.

The rhizomas of turmeric are made into a yellow dye. They also possess aromatic properties, and are used in medicine. The plant is widely cultivated in South Formosa, and there is a considerable export; but, owing to insufficient care in preparation, the product is not so valuable as it might be.

5. *Dye Yam*.

While in Formosa, I was unable to procure specimens of this wild plant. The bulbs, which grow underground, are locally called "dye yams," and are exported from Tamsui in small quantities. The skin has an earthy colour, while the interior is pinkish red. The yams are macerated in water, and the liquor is used for dyeing fishing-lines and nets a dull red colour.

V.—Special Industries.

The chief industries carried on in Formosa are the cultivation and manufacture of tea in the north and of sugar in the south. To these may be added coal-mining, sulphur making, camphor distilling, and gold washing.

1. *Tea*.

The cultivation of tea is not in Formosa a very old industry. I have already stated, under the head of Agriculture, that the tea-plant was imported from the Fuhkien Province and proved a great success. Since its introduction the cultivation has spread rapidly, advancing, *pari passu*, with the clearing of the hill-sides in Northern Formosa. When a slope has been cleared of jungle, a crop, such as sweet potatoes, is planted, and in the following year young tea-plants are set out in rows 2 to 3 feet apart, with a like distance between each plant. In this virgin soil no manure is required, and all the cultivator has to do is to keep the ground clear of weeds and undergrowth, which, if

left unchecked, would very soon choke and utterly destroy the shrubs. In three years from the date of planting out, the shrubs have attained their maximum height of 2 to 3 feet, and the time has arrived for picking the leaves. This operation, which is carried out by women and girls for the most part, takes place in the end of April or beginning of May, in July, and in September. That is to say, three crops are harvested during the season. The leaves, when picked, are placed in bamboo baskets, which are carried to the house of the grower, where they are emptied and their contents spread out in the open air—usually on the threshing floor—for a short time, and thereafter treated in the following manner.

The tea manufactured in Formosa is generally, but erroneously, classed by the public as a green tea. It is in reality a black tea, prepared without the usual fermentation, but possessing a decided flavour of the green variety. The leaf is fired when green, and this, taken with the flavour, may account for the popular belief. But between the exposure in the open air and the firing, the leaf has to undergo a somewhat peculiar treatment, a process which I discovered accidentally, and which was unknown to the foreign tea merchants to whom I mentioned the matter. One day in September I was wandering at the base of the North Hill, near the port of Tamsui, on the look-out for a certain plant, when I suddenly found myself close to a farmhouse, and saw a man sitting on a high stool on the threshing floor turning rapidly with his feet what appeared to be a long cylindrical drum. On nearer inspection, I found that the machine was about 8 feet long and 2 feet to $2\frac{1}{2}$ feet in diameter, six-sided, each side made of brown, coarse cloth let into a wooden framework, that the axle ran right through the cylinder and rested on two wooden supports, one at each end. Between the support and the cylinder at one end were four treadles fixed in the axle. Working these with his feet the man caused the cylinder to revolve rapidly, each revolution being accompanied by a swishing noise inside the cylinder. On my expressing my desire for some enlightenment the man willingly unfastened one of the sides, which was the door of the cylinder, and laid it back on its hinges. Exposed to view were six bamboos, corresponding in number to the sides of the machine, fixed at equal intervals into the ends of the cylinder midway between the axle, to which they ran parallel, and the periphery of the "ch'a-nung," or tea preparer, as the machine is called. At the bottom of the cylinder there was a heap of green tea leaves, which had been placed there after the necessary exposure on the threshing floor. As the machine revolves, these leaves are dashed against the bamboos, whereby their edges are rendered quite soft; they are then removed and put into the iron firing-pans. It will be asked, "Why are the edges of the leaves softened?" The answer is easy. Were the leaves, after being picked and exposed for a short time, placed in the firing-pans, they would split up—the tea leaf is thick and brittle—and lose all semblance to the whole leaf which is so much desired. Such, at least, was the explanation given to me, and it appears to be very reasonable and natural.

Some of the leaf which is brought in to Twatutia, the tea market of the island, is ready for packing and shipment, but most of it is brought in after the first firing, and is finished—that is to say, again fired in bamboo baskets—in Twatutia itself, where foreigners and Chinese alike possess firing rooms. The process is as follows:—

After the first firing in the country the leaves are green and beginning to curl. They are then packed in jute bags and forwarded by boat, carriers, or rail to Twatutia.

Before proceeding with the account of their further manipulation, however, I may give a brief description of the firing rooms themselves. On entering such a room, one sees rows of circular holes 2 feet in diameter, 2 feet deep, and a foot apart, faced with brick raised about eighteen inches above the brick floor. These are the fireplaces wherein the live charcoal, which has been brought to a red heat outside, is placed. Before any firing can begin it is essential that all the combustible matter in the charcoal has been consumed, and that no smoke remains. To attain this end men are constantly engaged in breaking up the live charcoal in the holes with long iron instruments. When it is uniformly red and smokeless, a layer of the ashes of paddy husks is spread over the charcoal to temper the great heat which it emits, and the fires are ready to receive the tea. The firing-basket is shaped like a dice-box with the bottom knocked out. It is woven of split bamboo, about 3 feet high, a little over 2 feet in diameter, and narrowing from both ends towards the centre. Into one end a movable bamboo sieve, which fits the centre, is pushed, and the other end is placed over the firing-hole. The leaves are poured in at the top, and the firing begins, the firers constantly going the round of the baskets and shaking up the contents, so as to insure uniformity in firing. When this firing is completed, the tea is spread out in flat bamboo baskets, and all pieces of twigs and leaf-stalks removed by hand. This part of the work is performed by women and girls.

The tea is again poured into the firing-baskets, and, after being fired until every particle of moisture has evaporated, it is removed and packed hot in lead-lined boxes for export.

2. Sugar.

Two varieties of sugar-cane are grown in North Formosa—*Saccharum sinense*, Roxb., and *Saccharum violaceum*; but in South Formosa, which is the great sugar-producing region of the island, the former is the principal variety cultivated. To plant a field with canes, stems, which have been buried in dry soil since the previous harvest, are made into cuttings, each having a joint. Previous to planting in spring they are steeped in water for about twenty days, when sprouts begin to appear. They are then taken out, and placed in furrows a short distance apart, in a slanting direction, and covered with manure. Little attention is thereafter given to them until the crop begins to ripen in the end of November or early in December. The cane is a perennial; but it is rarely allowed to occupy the ground more than three years, the second and third years' crops being raised from ratoons. At the end of three years the roots are removed from the soil, and a year, during which a different crop is grown, is allowed to elapse before the ground is again stocked with cuttings. When ripe, the canes are cut down near the ground, made into bundles, and carried to the sugar-mill, which merits a brief description.

Two stone rollers, about 3 feet long and 2 feet in diameter, usually of granite, are set up vertically side by side by means of two wooden pivots, which fit holes cut in the bottoms of the rollers, and a pair of similar but larger holes in a stone or wooden base. On the upper rims of the rollers notches are chiselled out, and into these are fitted wooden cogs, so that when one roller revolves the other moves round in the opposite direction. Both rollers fit loosely at the top into a horizontal beam, as at the bottom into the base; but the wooden pivot of the left-hand roller is prolonged, and fixed firmly in a wooden lever, at the end of which a couple of buffaloes are harnessed. The principle is the same as in the Chica Ballapura engine, except that the rollers are not themselves grooved to form screws. As the lever is dragged round, the left-hand roller revolves and imparts an opposite motion to its neighbour. The rollers are fed with canes by hand, and the juice, oozing out, runs down into a well at the base, whence it is carried by a bamboo tube to a tank or reservoir, where it is clarified by the addition of a little quicklime. The canes are passed three times between the rollers, and from 100 lbs. weight of the raw material an average of 50 lbs. of juice is expressed. The juice is ladled from the clarifying tank into the first of a row of four or five boiling pans, with a furnace underneath each. As the juice concentrates, it is ladled from pan to pan until crystallization is reached at the last. At this stage the sugar crystals are ladled into large jars, from the bottoms of which some of the moisture adhering to the crystals drains off through small openings, and facilitates the completion of the crystallization. Such is the method pursued in manufacturing brown sugar; but round Tai-nan white or clayed sugar is also made, and, in this case, sugar with crystals of a larger grain are used. Clay or mud of the consistency of cream, and without any regard to cleanliness, is poured to the depth of an inch or two on the top of the brown drained sugar in the jars. The moisture from the clay, which soon hardens and does not contaminate the sugar, descends through the crystals, carrying with it the dirty coloured treacle enveloping the crystals, which are not affected or diminished, but simply washed white.

It has been proved, by experiments conducted in the presence of the sugar growers of South Formosa, that there is a great waste of juice as at present extracted by the native mill. Two small mills from England were set to work, and from 100 lbs. weight of cane each produced not 50 lbs. but 68 lbs. of juice, and, to prove that, there was no mistake as to the amount, the refuse of 100 lbs. of cane, which had passed three times through the native was passed once through the foreign mill, and yielded 18 lbs. of juice, that is, a gain of 18 per cent.

3. Coal.

Coal is known to exist both in North and South Formosa, and the probability is that an immense deposit underlies, at varying depths, the whole of the island. The chief and best known coalfield is on the north-east coast, near Kelung. It has experienced many vicissitudes; at first in the hands of private individuals, it was afterwards taken up by the Provincial Government, and shafts were sunk and European plant set up under foreign

superintendence. Private mines were closed, and the Government had virtually a monopoly of the trade. A Chinese superintendent was appointed to act with his foreign colleague, and those acquainted with China will readily understand the difficulties experienced under such a system. The Government were dissatisfied with the meagre success of the undertaking, foreigners were dismissed, and the mine was left in native hands.

Matters proceeded from bad to worse, and the mine was ultimately closed. Thereafter a foreign firm in China approached the Provincial Government, with a proposal to take over and work the mine on conditions which were favourably viewed by the then Governor; but the sanction of the Central Government had to be obtained to render the agreement valid, and that sanction was refused. Since that time the mine has been idle. Private mines have reopened, and the present supply of coal, always uncertain and difficult to procure in quantities, is entirely derived from them.

4. *Camphor.*

I have already alluded to camphor-oil as a resultant of camphor distilling, but the manufacture of camphor itself is a most important industry in Formosa, and the difficulties connected with it are by no means light. In the first place, the camphor laurel grows in savage territory only, and the hillmen or Hakkas, who border on that territory, have to make monetary or other arrangements with the savage Chiefs to protect, or refrain from destroying, the stoves or stills which the former set up in their country. These arrangements are, as a rule, very unsatisfactory, for, as soon as trouble arises, no matter what may have been the cause, they proceed without delay to vent their resentment on the stills, which are promptly destroyed. Several foreign firms are engaged in the trade, and their method of conducting the business is worthy of notice. Advances are made to the hillmen on condition that they set up a certain number of stoves, supply monthly a fixed amount of camphor at a price agreed upon, and repay the advances by instalments at certain stated periods. Bonds are entered into, and securities are given by the hillmen for the due performance of their contracts; but there is an agreement between the Chinese and foreign Consular authorities that Consular assistance cannot be invoked for the recovery of advances made in the camphor business. In spite, therefore, of the securities given, foreign merchants make advances at their own risk, but, in this place, I am concerned more with the industry itself than with the preliminary arrangements, and I shall proceed to describe the method of manufacture.

As soon as the hillmen have settled all preliminaries with the savage Chiefs, and a suitable spot has been fixed among the camphor trees for the erection of a still, the former proceed to run up a shed or rough building, the size of which depends on the number of stoves it is intended to contain. If ten are to be erected, the building would be about 20 feet long by 12 or 13 feet broad. In the centre of the floor an oblong structure some 4 feet high, 10 feet long, and 6 feet broad, is built of sun-dried mud bricks, having five fire-places or holes at each side raised a foot or so above the floor of the room. The two ends of the structure are solid, and without fire-places. The latter are so built that an earthenware pot can easily be inserted above the fire in each hole. An earthenware cylinder connects the mouth of each pot with the surface of the structure, or still, as it may more conveniently be called. Between the pot and the lower end of the cylinder there is a round thin piece of wood fitting both the mouth of the pot and the lower end of the cylinder, and perforated so as to allow the steam from the water in the pot to pass into the cylinder during distillation. The top of each cylinder is usually about a foot in diameter, and is level with the surface of the still. Such a still as I have endeavoured to describe would present to the eye a mud structure, with ten round holes on the top and five fire-places at each of the two longest sides. To complete it, however, ten large earthenware jars are required. These, during the process of distillation, are placed, inverted, on the top of the still immediately over the upper ends of the cylinders, so as to form condensers. To prevent the escape of steam from the condensers bands of jute are fitted firmly between their mouths and the top of the still. Suppose, then, that there is a heap of camphor-wood chips at hand from which it is required to extract the camphor. The pots are filled with water, and the cylinders with chips; the jars are in position on the top of the still; and the firewood is lighted under the pots. When the water boils, the steam passes up through the perforated wood into the cylinders, heats and moistens the chips, and ascends to the condensers, carrying with it the camphor fumes which the chips have given forth. The steam then condenses on the inside of the jars, and, when the latter are removed, a layer of white camphor

crystals is found adhering to them. This is brushed off by hand and placed in baskets. The chips are then withdrawn from the cylinders, fresh chips take their place, water is added to the pots, the condensers are again placed in position, additional firewood is thrown into the fire-places, and the work of distillation recommences.

Such is the apparatus employed in the manufacture of camphor, and it only remains for me to state how the trees are reduced to chips suitable for the apparatus. The camphor laurel attains an enormous height and girth in Formosa. I have seen a horizontal section of a stem which was at least 6 feet in diameter, and which at one time formed the entrance to the house of a savage Chief. The doorway is cut out of the section. It is now a trophy belonging to a missionary, and has to be accommodated on the verandah of his house. Much difficulty is experienced by the hillmen in felling these forest giants, and recourse is frequently had to firing so as to expedite their work. Quantities of valuable timber are thus consumed, and, as no trouble is taken to plant young trees, the day will come when such waste will be regretted. The tree once felled, the branches are removed, and the trunk sawn up into planks. Branches and planks are then set upon by a number of men, each armed with a small scoop-shaped adze, every stroke of which removes a chip about an inch long. In time the giant is reduced to a heap of chips, which are treated for their camphor as above described. The extract remains a greyish-white powder, which, unlike the camphor produced in Japan, does not solidify under pressure. A ready market is found for Formosan camphor, which is an important ingredient in smokeless powder.

5. Sulphur.

Seven miles from the port of Tamsui, and 3 miles from the right bank of the Kelung branch of the Tamsui River, there is a range of low hills, on surmounting which the visitor finds himself in a gulch backed by another range of hills higher than those which he has just crossed. In the gulch, through which a streamlet flows on its way to join the Kelung River, are a number of boiling springs, hissing, steaming, noisy, and malodorous. These are the chief sulphur springs of Northern Formosa, and the centre of sulphur manufacture in the island. Looking up the gulch, one may see little clouds of steam issuing here and there from the hill-sides, showing that the whole region is volcanic. In the bed of the gulch there is well after well of boiling water, which, bubbling up, impregnates the bounding stones with sulphur. These stones are collected and placed in clay stoves or boilers, with fire-holes underneath, erected in rude huts by the wells or springs. At a certain temperature the sulphur melts and boils up, leaving the stone at the bottom of the boiler. Impurities are skimmed off, and the molten sulphur is ladled into clay moulds shaped like the base half of a cone cleanly cut. When the contents have cooled and solidified, the moulds are broken up, and the yellow blocks of sulphur, each weighing about 60 lbs., are ready for market.

6. Gold.

The thirst for gold is as keen in China as it is in the United States, Australia, or South Africa. The precious metal is known to exist in many parts of the Empire, notably in the provinces of Shantung and Yunnan, where it is mined; and during the winter months the banks of the Upper Yang-tsze, between Ichang and Chungking, are dotted with men washing the shingle-beds for the particles of gold which they contain. It has been known for many years that gold exists in Formosa, and every now and again the fever of discovery breaks out, rages for a time, and then dies away. The last outbreak, which still rages, occurred in the year 1890, when a railway bridge was being built over an affluent of the Kelung River in its upper reaches. Thousands of Chinese from the mainland, many of whom had worked in the Californian mines as well as in Australia, flocked to the scene of the discovery, carrying with them primitive cradles for washing the gold. They did not confine themselves to the actual scene of the discovery. When I passed down the Kelung River in August last year, I saw washers on every exposed shingle-bed in its higher waters. Some were provided with boats in which to sleep at night, whilst others had erected rude huts on the banks. Considerable quantities of dust are no doubt washed, and some has been declared at the Custom-house at Tamsui for export to Amoy, but it is so easily carried on the person, that it is impossible to arrive at any definite conclusion as to the value of this gold-field. The auriferous reefs themselves have not yet been discovered, and the gold is entirely derived from washings.

In fever-stricken North Formosa, it is not surprising that the miners, exposed as they are to sun and rain, and unprovided with medicines and attendance, constantly succumb. During a typhoon last year, too, the river rose suddenly during the night and swept off numerous huts and their inmates, never to reappear.

Gold is also reported to exist in other parts of the island. In the year 1890 a landslide, caused by heavy rains, occurred at a place called Liang-chiao in the south, and within the savage border, where a whole hill-side fell away, exposing gold in considerable quantity.

Little, however, is really known as to the minerals of Formosa, which have not yet been scientifically explored, and it is unlikely that much will be added to our present knowledge until the savage territory is accessible to the traveller.

Besides the minerals already referred to in this paper, traces of iron and copper have been met with, and rubies have been noticed among savage ornaments.

VI.—*Trade.*

Having, in the preceding pages, reviewed the resources of Formosa, I propose, in conclusion, to point out how far these have been utilized for trade. For this purpose the best information available is the export list, as contained in the Returns of the Imperial Maritime Customs, of the ports of Tamsui and Tai-nan, with their dependencies, Kelung, Takow, and An-ping. But that list does not include the junk trade, and is, therefore, incomplete; yet the ratio which that trade bears to the steam and sail traffic is so inconsiderable as to be practically of little consequence in the present inquiry, and the figures for the latter will give sufficient indication of the extent, nature, and value of the export trade of the island. And in this connection it may be asked, "What are the markets for the chief products of Formosa?" Almost the entire output of tea finds its way to the United States, where it is specially favoured; and to show the value attached to this trade, I may mention that attempts have been made in Ceylon to manufacture Formosa tea, but, in spite of all efforts, it has been found impossible to produce an article with the proper flavour. More than half the quantity of brown sugar goes to Japan, the balance being consumed by the other Chinese ports and Hongkong. The Japanese are fastidious in their taste, for they absolutely refuse to have anything to do with the sugar unless it is grown and manufactured in the regions round Takow. The great bulk of the camphor is shipped to Hongkong, whence it is dispatched to Europe.

The appended Table is an attempt to present a balance-sheet of the trade of Formosa conducted in vessels of foreign type during 1891, the Returns for that year being the latest published. An examination of the export list shows that not a few of the products to which I have drawn attention find no place in that Table, and that many of them appear as mere insignificant items—a proof that much has yet to be done before the valuable resources of the island are fully exploited and developed.

(Signed) ALEX. HOSIE.

March 17, 1893.

FORMOSA I^d

Transferred from Admiralty Chart N^o1968.
with some additions by
Acting Consul Alexander Hosie F.R.G.S.

- indicates the Capital of the Island
- a City of the 1st Class
- " " " " IInd "
- ⊙ " " " " IIIrd "
- " " " " IVth "
- " " " Village or Market-town

Places underlined are open to Foreign Trade

Scale $\frac{1}{696960}$ or 1 inch to 11 Miles
5 4 3 2 1 0 5 10 15 20 25 30 Stat. Miles





TABLE showing the Trade of the Island of Formosa carried in Vessels of Foreign Type for the year 1891.

Exports.				Imports.			
Goods.		Quantity.	Value.	Goods.		Quantity.	Value.
Tea ..	..	Lbs.	£	Foreign goods—	..	Lbs.	£
Sugar—	..	..	678,194	Opium—	..	..	..
Brown ..	..	..	340,223	Patna ..	..	156	107
White ..	..	..	25,563	Benares ..	..	91,992	54,947
Camphor ..	..	..	71,320	Persian ..	..	652,113	387,510
Coal ..	..	Tons	20,133	Cottons ..	..	..	92,271
Turmeric ..	..	Lbs.	13,227	Woolens ..	..	..	41,004
Lung-ngani (dried and pulp)	..	..	9,332	Metals ..	..	..	20,092
Fibres—	..	..	..	Miscellaneous ..	..	..	151,999
Rhea and jute..	..	..	5,249	Native goods ..	..	..	176,146
Pineapple ..	..	..	1,748	Treasure ..	..	..	329,550
Raw jute ..	..	..	797	..	..	..	1,253,626
Sulphur ..	..	..	4,927	..	..	..	..
Sesamum ..	..	..	3,522	..	..	..	..
Rattans ..	..	..	1,679	..	..	..	..
Pith paper ..	..	..	1,607	..	..	..	..
Bamboo shoots ..	..	..	1,221	..	..	..	..
Planks—	..	..	..	..	..	..	..
Hard wood ..	..	Pieces	2,843	..	..	..	..
Camphor wood ..	..	..	704	..	..	..	..
Beans ..	..	Lbs.	439	..	..	..	..
Miscellaneous ..	..	..	863	..	..	..	..
Treasure ..	..	..	3,659	..	..	..	..
Total ..	..	..	218,669	Excess of exports over imports	..	..	148,950
..	..	..	1,402,576	Total ..	..	..	1,402,576

Report by Mr. Hosie on the Island of Formosa,
with special reference to its Resources and Trade.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. August 1893.*

GERMANY. No. 1 (1893).

R E P O R T

UPON THE

OPERATION OF THE SECOND BALLOT IN
THE RECENT ELECTIONS

FOR THE

GERMAN REICHSTAG.

Presented to both Houses of Parliament by Command of Her Majesty.
July 1893.

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Report upon the Operation of the Second Ballot in the recent Elections for the German Reichstag.

Sir E. Malet to the Earl of Rosebery.—(Received July 3.)

My Lord,

Berlin, July 1, 1893.

I HAVE the honour to forward to your Lordship herewith a Memorandum, drawn up by Mr. Whitehead, upon the operation of the second ballot in the recent elections in Germany.

I have, &c.
(Signed) EDWARD B. MALET.

Inclosure.

Memorandum upon the System of Second Ballots in the Elections for the German Reichstag.

THE Law of the 31st May, 1869, regulating the system of election for the Reichstag of the North German Confederation, still forms the basis upon which the elections for the Imperial Reichstag are carried out.

Every German who is over 25 years of age has a vote for the Reichstag in the State in which he is domiciled. No property or other qualification is necessary, but the franchise is suspended for persons who are in active military or naval service. Voters are disqualified: (1) if they are under guardianship ("Kuratel"); (2) if they are actually passing through a Court of Bankruptcy; (3) if they are in receipt of poor relief; (4) if they have been deprived of their civil rights by the sentence of a Criminal Court. Every voter is eligible as a Deputy, provided that he has belonged for at least a year to one of the States of the Confederation.

§ 12 of this Law establishes the system of second ballots, and is worded as follows:—

"Election is direct. A candidate is elected if he has obtained an absolute majority of all the votes recorded in the constituency. If no single candidate obtains an absolute majority of votes, the two who have most votes must be balloted for again. In case of an equal number of votes being recorded for each, a decision is obtained by lot."

The Regulations for the execution of the above Law, dated the 28th May, and issued at Berlin on the 11th June, 1870, contain (in §§ 28–32) detailed provisions upon this point. The following is the text of these paragraphs:—

"§ 28. If one of the candidates has obtained the absolute majority of the votes recorded in the electoral district, he is declared elected.

"If no absolute majority has been obtained, the Election Commissioner must call for a second ballot.

"§ 29. The date of the second ballot is fixed by the Election Commissioner, but must take place not later than fourteen days after the result of the first ballot has been made known.

"§ 30. To the second ballot those two candidates only are admitted who have obtained the greatest number of votes. If several candidates have obtained an equal number of votes, the Election Commissioner must draw lots to determine which two of them shall be admitted to the second ballot.

"In issuing the notifications of elections on second ballot, the names of the two

competing candidates must be stated, and special attention must be called to the fact that votes recorded for other candidates have no value.

"§ 31. The second ballot is carried out on the same principles, and according to the same regulations, as the original election.

"The electoral districts, the polling stations, and the Controllers ('Wahlvorsteher') remain the same. If any alteration is found necessary it must be sanctioned by the competent authorities.

"In the second ballot the same list of voters must be used as in the original election. For this purpose the lists must be kept separate from the other documents concerning the election, and distributed to the Controllers ('Wahlvorsteher'). No revision or correction of the lists is made between the two ballots."

A second ballot can of course only be necessary when more than two candidates were originally nominated for the same constituency. The system is of especial importance in view of the number of parties into which the Reichstag is divided, and the slight differences which constitute the distinction between certain fractions. In the last Reichstag there were eight acknowledged parties, besides the Alsatians, and seventeen Members belonging to no party. In the Reichstag which has now been elected there will be thirteen acknowledged parties, and about six independent Members.

In general, the voting at the second ballots is decided by the relative local strength of the parties. The Socialists are not usually supported by any but the extreme Radicals, whom they support in return when the Socialist candidate is out of the second ballot.

In the present elections, however, the whole matter is complicated by the question of the Military Bill, which has produced a split in the Centre (Ultramontane) party and among the Radicals.

There are 397 Members in the Reichstag. In the election which is just over, 217 were elected in first ballot by an absolute majority; the remaining 180 had to undergo a second ballot.

There appear to have been no ties, and selection by lot has, therefore, not been resorted to in any case.

The following illustrations, taken from the recent elections, will give some insight into the working of the system of second ballots:—

In the electoral district of Breslau-Neumarkt, hitherto represented by Herr von Huene, Count Limburg-Stirum (Conservative), and Herr Schütz (Socialist), had to have a second ballot. The numbers at the first ballot were as follows: Count Limburg, 8,391; Schütz, 4,603; von Huene (Centre party), 3,423; Schmieder (Radical), 2,979. In this case the result of the second ballot was a certainty for the Conservative, because, even if all the Radical voters had supported the Socialist, they would not have brought up his numbers to the Conservative vote alone. The Catholic (Centre) voters would not support a Socialist. Count Stirum has accordingly been elected.

Another case of interest is the following:—

At Allenstein (East Prussia) the figures in the first ballot were: Rarkowski (Centre party, who represented the constituency in the last Reichstag), 6,883 votes; Dr. von Wolszlegier (Pole, in favour of the Huene amendment), 4,829; Fischer (Labour candidate), 2,690 votes. As the votes given for the two last exceeded Rarkowski's, a second ballot was necessary. The Labour party had the casting vote, and they gave it to Dr. von Wolszlegier, the candidate who was in favour of the Army Bill, although he is a Pole. He gained the seat by a majority of over 1,000 votes.

The city of Berlin is divided into six electoral districts. Of these, five have been won by the Socialists, and one by the Radicals. Four of these divisions, the Ist, IIInd, IIIrd, and Vth, were contested in second ballot. In the Ist Division the Radical, Dr. Langerhaus, was victorious. The result of the first ballot on the 15th June was as follows:—

							Votes.
Dr. Langerhaus (Radical)	..	..	..	..	..	..	5,270
Täterow (Socialist)	..	..	..	..	..	..	4,069
Dr. Zeidler (Conservative)	..	..	..	..	..	..	2,834
Egidy (Independent)	..	..	..	..	..	..	1,770
Marggraff (National Liberal)	..	..	..	..	..	..	1,040
von Kehler (Centre party)	..	..	..	..	..	..	249
Dr. Bachler (Anti-Semite)	..	..	..	..	..	..	38
Votes recorded	..	..	..	..	..	..	15,270
Number of voters on register	..	..	..	..	..	..	20,169

In the second ballot, therefore, on the 23rd June, only the two first competed, and the votes were as follows:—

						Votes.
Dr. Langerhaus (Radical)	..	..	..	..	..	7,145
Täterow (Socialist)	..	..	..	..	..	5,267
Votes recorded	..	..	..	..	..	12,412

Dr. Langerhaus was therefore elected by a minority of those who voted in the first ballot, and by little over one-third of the registered voters. He gained nearly 2,000 votes in the second ballot, and these were probably recruited from the followers of Egidy and the National Liberals. The Anti-Semitic portion of the Conservative voters may be in part responsible for the increase of 1,200 in the Socialist's score, as it was noticed that many of them recorded their votes.

In the IInd Division Professor Rudolf Virchow (Radical) was beaten by the Socialist, Richard Fischer, the Secretary of the Social Democratic Party Organization in Berlin.

The figures at the first ballot were:—

						Votes.
Fischer (Socialist)	..	..	..	..	..	26,667
Professor Virchow (Radical)	..	..	..	..	..	14,544
Professor Wagner (Anti-Semite)	..	..	..	..	..	13,218
Henneberg (National Liberal)	..	..	..	..	..	3,056
von Kehler (Centre party)	..	..	..	..	..	566
Frese	..	..	..	..	..	101
Dr. Bachler	..	..	..	..	..	69
Böckel	..	..	..	..	..	51
Egidy	..	..	..	..	..	28
Votes recorded	..	..	..	..	..	58,200
Number of voters on register	..	..	..	..	..	75,357

The figures in the second ballot were:—

						Votes.
Fischer (Socialist)	..	..	..	..	..	29,470
Professor Virchow (Radical)	..	..	..	..	..	19,742
Votes recorded	..	..	..	..	..	49,212

In this case, therefore, the Socialist obtained an actual majority of the vote in the first ballot.

This defeat, by nearly 10,000 votes, has been one of the severest blows suffered by the Radical party during the present elections. Professor Virchow was a man respected by all parties, whereas his opponent was unknown except to the members of his own class. The latter gained 3,000 votes in the second ballot, and it is supposed that these were obtained from those voters who had supported the Anti-Semite (Professor Wagner) in the first ballot. Professor Virchow gained 5,000 votes, and these were probably supplied by the National Liberals and Free Conservatives ("Reichspartei").

In the IIIrd Division the Socialist, Vogtherr, was elected in second ballot against Herr Munckel (Radical). The figures at the first ballot were:—

						Votes.
Vogtherr (Socialist)	..	..	..	..	..	12,732
Munckel (Radical)	..	..	..	..	..	7,919
Förster (Conservative Anti-Semite)	..	..	..	..	..	4,534
Winterfeld (National Liberal)	..	..	..	..	..	979
von Kehler (Centre)	..	..	..	..	..	318
Frese (Independent)	..	..	..	..	..	41
Votes recorded	..	..	..	..	..	26,523
Number of voters on register	..	..	..	..	..	32,570

The result of the second ballot was:—

						Votes.
Vogtherr (Socialist)	..	..	..	..	..	14,064
Munckel (Radical)	..	..	..	..	..	9,699
Votes recorded	..	..	..	..	..	23,763

At the last election (1890) Munckel had beaten the Socialist Wildberger in second ballot by nearly 700 votes. He is a good orator, and has been elected for another constituency.

In the Vth Division the first ballot was as follows:—

							Votes.
Schmidt (Socialist) ..	..	..	..	..	..	..	9,729
Baumbach (Radical)	..	..	..	..	..	..	7,840
Hertwig (Anti-Semite)	..	..	..	..	..	..	5,143
von Kehler (Centre)	..	..	..	..	..	..	255
Dr. Krause (National Liberal)	..	..	..	..	..	..	131
Frese (Independent)	..	..	..	..	..	..	46
Votes recorded							23,144
Number of voters on register ..							31,247

The figures in the second ballot were:—

							Votes.
Schmidt (Socialist) ..	..	..	..	..	..	..	11,245
Dr. Baumbach (Radical)	..	..	..	..	..	..	9,243
Votes recorded							20,488

In 1890 Dr. Baumbach had beaten the Socialist candidate in second ballot by nearly 3,000 votes.

In this case again the victor finally obtained less than half the number of votes recorded in the first ballot, and little over one-third of the voters on the register, owing probably to Conservative abstentions.

None of these Berlin elections turned upon the Military Bill, as both Radicals and Socialists oppose it, but the latter seem to have had a great advantage in the second ballots in consequence of their known Anti-Semitic tendencies, which gave them the free votes of the small but bigoted Anti-Semitic party.

The Conservative party has laid down the general rule that no Conservative voter may support a Radical ("Freisinnige") or a Socialist in second ballot; but this is modified in cases such as that reported from Halle, where the Conservative parties publicly declared that they would support Dr. Alexander Meyer ("Freisinnige Vereinigung"—Radical Union) against the Socialist, Kuhnert. This was, of course, done on account of the Military Bill, for which that section of the Radical party is pledged to vote. Meyer was elected by a majority of over 3,000.

The number of votes in the second ballot is often less than in the first, and it therefore happens in some cases that the Member is finally returned by a minority of the voters who had come to the poll in the first instance (as shown in the elections for the 1st and Vth Divisions of the city of Berlin above recorded).

It does not necessarily follow that the candidate who obtains the greatest number of votes in the first ballot is certain to be elected in the second; instance the election at Allenstein above referred to, and also the following striking case:—

In the 6th district of Schleswig-Holstein there were four candidates, who came out in the first ballot as follows:—

Molkenbuhr (Socialist)	..	..	..	..	..	..	13,097
Count Moltke (Conservative)	..	..	..	..	..	..	6,326
Hänel (Radical Union)	..	..	..	..	..	..	6,223
Liebermann (Anti-Semite)	..	..	..	..	..	..	716

There was a rumour at the time that the Conservative candidate had beaten the Radical by the help of Socialist votes told off to support him as the less dangerous opponent; but this theory appears to be completely upset by the result of the second ballot, which was a majority of 1,632 for Count Moltke. The Radical candidate belonged to that section of the party which is in favour of the Military Bill, and it must be assumed that all his supporters voted with the Conservatives in the final ballot.

The following was the result of the second ballots in seven cases which are of interest with regard to these two points:—

POTSDAM-OSTHAVELLAND (PROVINCE OF BRANDENBURG).

First Ballot.				Second Ballot.			
			Votes.				Votes.
Wernau (Socialist)	..	..	7,683	Schall (Conservative)	..	..	12,170
Schall (Conservative)	..	..	5,143	Wernau (Socialist)	..	..	10,867
Vollrath (Radical)	..	..	4,907				
Rethwisch (National Liberal)	..	..	1,081				
Rödenbeck (Anti-Semite)	..	..	244				
Votes recorded	..	..	19,058	Votes recorded	..	..	23,867

In this case the polling was heavier in the second ballot than in the first, and the position of the two top candidates was reversed.

STETTIN (POMERANIA).

First Ballot.				Second Ballot.			
			Votes.				Votes.
Herbert (Socialist)	..	..	9,586	Herbert (Socialist)	..	..	10,774
Brömel (Radical Union)	..	..	5,690	Brömel (Radical Union)	..	..	10,469
Munckel (Radical)	..	..	2,455				
von Heydebreck (Conservative)	..	..	2,323				
Förster (Anti-Semite)	..	..	495				
von Kehler (Centre)	..	..	130				
Votes recorded	..	..	20,179	Votes recorded	..	..	21,243

Here the total vote was also heavier in the second ballot, but the order was not reversed. The Radical Union candidate, however, nearly doubled his vote.

HALLE (PROVINCE OF SAXONY).

First Ballot.				Second Ballot			
			Votes.				Votes.
Kuhnert (Socialist)	..	..	12,979	Meyer (Radical Union)	..	..	17,969
Meyer (Radical Union)	..	..	10,347	Kuhnert (Socialist)	..	..	14,812
Glimme (Reichspartei)	..	..	8,769				
Divided	..	..	152				
Votes recorded	..	..	32,247	Votes recorded	..	..	32,781

The reason for the ultimate defeat of the Socialist in this case has been referred to above, p. 4.

MÜHLHAUSEN-LANGENSALZA (PROVINCE OF SAXONY).

First Ballot.				Second Ballot.			
			Votes.				Votes.
Klemm (Free Conservative)	..	..	8,531	Klemm (Conservative)	..	..	10,852
Äeustergerling (Socialist)	..	..	4,897	Äeustergerling (Socialist)	..	..	6,458
Zimmermann	..	..	3,632				
Landrien	..	..	2,074				
Votes recorded	..	..	19,134	Votes recorded	..	..	17,310

The vote on second ballot diminished in this case, but the majority of the Conservative candidate actually increased, and was more than half the total vote of first ballot.

FLensburg (SCHLESWIG-HOLSTEIN).

First Ballot.				Second Ballot.			
			Votes.				Votes.
Jebsen (National Liberal)	..	..	6,417	Jebsen	..	..	8,677
Mahlke (Socialist)	..	..	4,073	Mahlke	..	..	4,524
Halben (Radical)	..	..	3,215				
Johannsen (Dane)	..	..	3,170				
Votes recorded	..	..	16,875	Votes recorded	..	..	13,201

The great falling-off in the vote is probably to be explained by the total abstention of the Danish voters in the second ballot. The vote given for the successful candidate was, however, a majority of the total vote on first ballot.

RATZBURG (SCHLESWIG-HOLSTEIN).

First Ballot.				Second Ballot.			
			Votes.				Votes.
Lesche (Socialist)	..	..	2,958	Count Bernstorff (Conservative)	..	..	3,858
Count Bernstorff	..	..	2,494	Lesche	..	..	3,324
Berling (Radical)	..	..	2,179				
Votes recorded	..	..	7,631	Votes recorded	..	..	7,182

As the Military Bill is opposed both by Socialists and Radicals, this result is an unexpected gain for the Government cause, probably explained by local jealousies.

BOCHUM (WESTPHALIA).

First Ballot.				Second Ballot.			
			Votes.				Votes.
Haarmann (National Liberal)	..	..	22,282	Fuchs (Centre)	..	..	28,512
Fuchs (Centre)	..	..	19,274	Haarmann (National Liberal)	..	..	25,878
Lehmann (Socialist)	..	..	16,904				
Votes recorded	..	..	58,460	Votes recorded	..	..	54,390

The vote ultimately given for the Ultramontane candidate was not in this case an absolute majority of the total vote in the first ballot. He therefore represents less than half the voters in the constituency.

(Signed) J. B. WHITEHEAD.

Berlin, June 30, 1893.

REPORT upon the Operation of the Second Ballot
in the recent Elections for the German Reichstag.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. July 1893.*

LONDON:

PRINTED BY HARRISON AND SONS

COMMERCIAL. No. 4 (1893).

REPORTS

FROM

HER MAJESTY'S REPRESENTATIVES

IN

EGYPT, GREECE, AND TURKEY

ON

REGULATIONS AFFECTING THE IMPORTATION AND SALE
OF HASCHISCH.

*Presented to both Houses of Parliament by Command of Her Majesty.
March 1893.*

LONDON:

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*Reports from Her Majesty's Representatives in
Egypt, Greece, and Turkey, on Regulations
affecting the Importation and Sale of
Haschisch.*

*The Earl of Rosebery to Lord Cromer, Sir Clare Ford, and
Mr. Egerton.*

My Lord,

Sir,

Foreign Office, November 14, 1892.

I HAVE to request you to be good enough to send home a short Memorandum embodying such information as you may be able to procure with regard to the importation, preparation, and sale of haschisch, together with copies of any Laws or Regulations bearing on the subject.

I am, &c.

(Signed) ROSEBERY.

Replies to preceding Despatch.

EGYPT.

No. 1.

Lord Cromer to the Earl of Rosebery.—(Received December 12.)

(Extract.)

Cairo, December 2, 1892.

IN reply to your Lordship's despatch of the 14th ultimo, I have the honour to inclose two Memoranda, one prepared by Mr. Caillard, the Director-General of the Customs, and the other by Colonel Settle, the Head of the Egyptian Police, which will, I trust, afford the information required as to [the importation, preparation, and sale of haschisch in Egypt.

The main facts of the case are very simple. On the one hand, the importation and use of haschisch is forbidden by law. On the other hand, it is notorious that the drug is largely imported, and very generally used. It would, under any circumstances, be very difficult to stop haschisch being smuggled into the country, but the difficulties are enormously increased by the rights conferred on foreigners by the Capitulations.

As regards the action taken by the police, your Lordship will observe, from Colonel Settle's Memorandum, that occasional prosecutions are instituted, but the difficulties in the way of applying the existing laws are very great.

Inclosure 1 in No. 1.

Memorandum by Mr. Caillard.

Importation permitted.—The importation of haschisch into Egypt appears to have been allowed up to the year 1868, but I have not been able to ascertain the conditions which regulated its entry or consumption.

In that year an Order of the "Conseil Privé" was issued

forbidding the cultivation and the use of haschisch under certain penalties, and the importation of the drug was consequently prohibited.

Some years later, however—viz., in 1874—the Custom-house was instructed, through the Governor at Alexandria, to collect a duty of 50 per cent. *ad valorem* on haschisch imported from abroad, including that which arrived from Turkey. The Custom-house fixed the value at P. T. 150 per oke, and collected therefore P. T. 75, equivalent to about 5s. 6d. per lb.

This valuation was confirmed by the Finance Minister, by order of the Khedive, in December of the same year, and the Custom-house was further instructed to collect P. T. 150 per oke as a fine on smuggled haschisch.

I cannot, however, find any trace of the receipts from this source.

Importation prohibited.—In November 1877 an Order was received from Constantinople to the effect that all haschisch brought into Egypt was to be seized and destroyed, and, finally, in March 1879, the importation and cultivation of haschisch were prohibited by a Khedivial Decree.

Preparation and Sale.—The haschisch used in Egypt is a preparation made from the husks of hemp-seed.

It is a fine powder of a greenish-yellow colour, and is usually compressed in the form of cakes weighing about 2 lbs. Other preparations, such as the Indian “bang” or “Ganja,” are made from the upper stems of the plant, including the flowers or the seeds, either boiled in order to extract the juice or crushed into powder. The powder is generally prepared for use by heating it until it dissolves into a thick syrup, which is sometimes mixed with other drugs or essences.

A very small quantity of the drug thus prepared is placed on the lighted tobacco, or tombac, in a pipe, or in a cigarette, and so inhaled.

The price of haschisch in the country of origin varies, I am informed, between 24 and 50 piastres the oke (or 1s. 8d. and 3s. 8d. per lb.). The expenses of smuggling, and the heavy additions made to cover the risk of seizure and confiscation, make the selling prices in Egypt range between P. T. 100 and P. T. 200, according to the quality of the drug, whilst the retail prices in the *cafés* probably represent double these amounts.

The plant *cannabis indica* is cultivated in Greece, and I believe also in Russia and the Danubian Provinces. Before the prohibition, the haschisch imported into Egypt was grown in Anatolia. The haschisch appears, however, to be manufactured chiefly in Greece.

The importation and sale of haschisch having been prohibited for so long a period, I am unable to furnish any reliable estimate of the quantity consumed annually in Egypt, but it cannot be less than 50,000 okes (about 140,000 lbs.).

Repression of the Contraband Trade.—Since the Decree of

March 1879 various measures have been enacted,* with a view to repress the illicit importation, cultivation, or consumption of haschisch, but the profits of a successful "run" are so large, that the supply has always kept pace with the demand.

I should, perhaps, mention that the Decree of the 10th March, 1884, provides (Article 5) that the confiscated haschisch shall be sold by the Customs (for delivery abroad) instead of being destroyed as formerly, and the produce of the sale is to be divided amongst the informers and officers who took part in the seizure.

This measure was rendered necessary by the absence of any fund from which rewards could be distributed, while, on the other hand, the profits of smuggling being very great, large sums were paid by the smugglers to insure the silence or complicity of the Customs officers, coastguardsmen, and others.

A considerable number of persons are employed in the smuggling trade, many of them having no other means of subsistence.

Great ingenuity is displayed by the smugglers in this illicit trade, and no sooner has one trick been discovered than another is invented.

The great obstacle, however, to the complete repression of the contraband trade is the refusal of some of the European Governments to recognize the right of the Egyptian Government to search suspected ships or warehouses, and to punish the delinquents by fine as well as confiscation.

I have already pointed out the very great difference between the cost prices abroad and the selling prices in Egypt, and it will be gathered that the profits on one successful "run" would counterbalance the loss on several seizures if the punishment and loss were limited to the confiscation of the haschisch.

Suggested Removal of the Prohibition.—In view of the impossibility of suppressing the contraband trade on haschisch, under the circumstances described above, I suggested to the Minister of Finance, in a Report dated the 30th January, 1891, the desirability of removing the prohibition against the importation of the drug, and I proposed to collect a customs duty of P. T. 100 per kilogramme (9s. 3d. per lb.), besides a licence tax on the sale of the haschisch.

It has been abundantly proved that the vice of haschisch smoking cannot be suppressed by legislation, whereas by a system of licences it may be kept under control to some extent, whilst the revenue to be derived from the import duty and licences might be usefully employed in works for the improvement of public health, or in grants for public education. Moreover, the constant conflicts with the Consular authorities

* Decree of the 29th March, 1879 (*vide* Appendix A).
 " " 10th " 1884 (" B).
 " " 28th May, 1891 (" C).

and the importers, arising out of the measures taken for the detection of haschisch, smuggling might be in great part avoided.

A strong feeling exists, however, against the lending of Government authority to the trade in a drug the effects of which are far more rapidly fatal than those produced by the excessive use of alcoholic drinks, and no measures can consequently be taken to mitigate the evil. I am credibly informed, nevertheless, that the moderate use of haschisch is in favour with large numbers of the well-to-do class, and the drug has certainly a place in the Pharmacopœia, where its use is prescribed in frequent cases.

Unfortunately, also, until new Conventions shall have been concluded with all the European Powers, the Capitulations will, in cases where foreigners may be concerned, stand in the way of a complete control over the contraband trade, or of the effectual working of the licensing system, which should, in my opinion, form an essential part of any permissive scheme.

The special duty to be collected would also be open to question, as the import duty is fixed by the Capitulations at 8 per cent. *ad valorem*.

(Signed)

A. CAILLARD,

Director-General of Customs.

Alexandria, December 1, 1892.

APPENDIX (A).

Decree of March 29, 1879, fixing the Octroi Duty on Tobacco, and prohibiting the Importation of Haschisch.

Nous, Khédive d'Égypte,

Sur la proposition de notre Ministre des Finances,

Vu l'avis conforme des Commissaires-Directeurs de la Dette;

Vu l'avis conforme de notre Conseil des Ministres,

Avons décrété et décrétons ce qui suit :

Article 1^{er}. A partir de ce jour, tous les tabacs et tombacs à fumer, à mâcher, ou à priser, soit en feuilles soit coupés, entrant en Égypte, paieront un droit d'octroi selon le tarif suivant :

1. Les qualités Bokja et Basma, P. T. 25 par ocque.

2. Toutes les autres qualités, P. T. 5 par ocque.

Tout tabac et tombac de qualité inférieure, mélangé avec un des tabacs Bokja ou Basma, paiera le droit de ces qualités, soit P. T. 25 l'ocque.

Art. 2. Le tabac et tombac actuellement dans les magasins de la Douane paieront les droits selon le nouveau tarif sus-indiqué.

Art. 3. A partir de ce jour les cigares entrant en Égypte devront payer un droit selon le tarif suivant:

1. Qualités supérieures comprenant les cigares fabriqués entièrement ou en partie avec du tabac provenant de la Havane, P. T. 50 par ocque.

2. Qualités inférieures comprenant tous les cigares qui ne sont pas compris dans la première catégorie, P. T. 10 par ocque.

Art. 4. L'importation du hachich est défendue; le hachich saisi sera détruit par les soins des autorités douanières.

Art. 5. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Caire, le 29 Mars, 1879.

(Signé)

ISMAÏL.

Par le Khédive :

Le Président du Conseil des Ministres,

(Signé)

MÉHÉMET TEWFIK.

Le Ministre des Finances,

(Signé)

C. RIVERS WILSON.

(Translation.)

WE, Khedive of Egypt,

On the motion of our Minister of Finance,

With the assent of the Commissioners of the Debt, and with the assent of our Council of Ministers;

Have decreed and decree as follows:

Article 1. From this day onwards, all tobacco or tombac for smoking, for chewing, or for snuff, either in leaves or already cut up, shall be subject, on entering Egypt, to an octroi duty, according to the following tariff:

1. The kinds called "Bokja" and "Basma," P. T. 25 per oke.

2. All other kinds, P. T. 5 per oke.

All tobacco and tombac of inferior quality, when mixed with Bokja or Basma tobacco, shall be subject to the duty on those qualities, or P. T. 25 per oke.

Art. 2. The tobacco and tombac at present in the warehouses of the Custom-house shall pay duty according to the new tariff cited above.

Art. 3. From this day onwards, cigars, on coming into Egypt, will be subject to a duty according to the following tariff:

1. Those of a superior quality, including those manufactured either wholly or in part with Havana tobacco, P. T. 50 per oke.

2. Inferior kinds, including all cigars not included in the first category, P. T. 10 per oke.

Art. 4. The importation of haschisch is forbidden, and any haschisch seized will be destroyed under the superintendence of the Custom-house authorities.

Art. 5. Our Minister of Finance is charged with the execution of the present Decree.

Done at Cairo, March 29, 1879.

(Signed) ISMAÏL.

By order of the Khedive :

(Signed) MÉHÉMET TEWFIK,
President of the Council of Ministers.

(Signed) C. RIVERS WILSON,
Minister of Finance.

APPENDIX (B).

Decree of March 10, 1884.

Nous, Khédive d'Égypte,

Vu les Décrets du 29 Mars, 1879, interdisant l'importation, la culture, et la mise en vente du hachich,

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

Article 1^{er}. La culture, la mise en vente, l'introduction ou la tentative d'introduction du hachich sont punies d'une amende de 200 piastres tarif par ocque, et le produit prohibé est confisqué.

En cas de récidive, l'amende est portée à 800 piastres par ocque.

Art. 2. En cas de non paiement de l'amende, la contrainte par corps est fixée à vingt-quatre heures par 20 piastres ; la durée minima est de vingt-quatre heures et elle ne peut excéder trois mois.

Art. 3. Les dispositions qui précèdent sont applicables solidairement aux propriétaires, cultivateurs, détenteurs, transporteurs et colporteurs, du produit prohibé.

Art. 4. Seront également confisqués les barques, voitures, bêtes de somme, instruments et matériels quelconques, qui auraient servi à transporter le hachich, ainsi que toutes autres marchandises dont on l'aurait entouré pour le dissimuler et faciliter son introduction.

Art. 5. Le hachich confisqué sera vendu ; l'acheteur ne pourra pas en prendre possession en Égypte. Il devra, dans un délai de quinze jours, l'expédier dans un port étranger, à l'exclusion de tout port Ottoman, sous la réglementation et l'assistance de

la Douane. A cet effet, il devra, outre son prix, verser à titre de dépôt, une somme représentant dix fois ce prix. Le dépôt lui sera restitué sur présentation d'un certificat régulier du port de destination.

Les autres objets ou marchandises seront également vendus.

Art. 6. Le produit de la vente, tant du hachich que des autres objets ou marchandises, sera versé à la Caisse de l'Administration de la Douane, après déduction d'un quart qui sera distribué aux saisissants, à titre de prime. S'il y a des dénonciateurs, cette prime sera partagée entre eux et les saisissants par moitié.

Art. 7. Les présentes dispositions sont également applicables au hachich et autres marchandises qui ont servi à l'introduire déjà saisies et actuellement déposées aux magasins de la Douane.

Art. 8. Les Articles 4 du premier Décret du 29 Mars, 1879, et 11 du second Décret de ce jour sont abrogés.

Art. 9. Nos Ministres de l'Intérieur et des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais d'Abdine, le 10 Mars, 1884 (12 Gamad Ewel, 1301).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive :

Le Président du Conseil des Ministres,

Le Ministre de l'Intérieur (par intérim),

(Signé) NUBAR.

Le Ministre des Finances,

(Signé) MOUSTAPHA FEHMY.

(Translation.)

WE, Khedive of Egypt,

With reference to the Decrees of the 29th March, 1879, forbidding the importation, the cultivation, and sale of haschisch,

On the motion of our Minister of Finance, and with the assent of our Council of Ministers ;

Decree :

Article 1. The cultivation, sale, importation, or attempt to import haschisch will be punished by a fine of 200 tariff piastres per oke, and the prohibited produce will be confiscated.

In case of a second offence, the fine will be raised to 800 piastres per oke.

Art. 2. In case the fine is not paid, the offender shall be imprisoned for a time calculated at the rate of twenty-four hours for every 20 piastres ; the shortest period which can be inflicted will be twenty-four hours, and the longest three months.

Art. 3. The above provisions shall apply as a whole to the proprietors, cultivators, holders, transporters, and pedlars of the forbidden produce.

Art. 4. Boats, carriages, beasts of burden, instruments, and any materials whatever which may have served for transporting haschisch, as well as any merchandize used to wrap it up, in order to conceal it and facilitate its introduction, shall be confiscated.

Art. 5. The confiscated haschisch shall be sold; and the buyer will not be allowed to take possession of it in Egypt. He will be obliged to send it within a fortnight to a foreign port—those of the Ottoman Empire being excluded—with the control and assistance of the Custom-house. With that object he shall deposit a sum ten times the amount of the price. This deposit will be returned on the presentation of a regular certificate from the port of destination.

The other objects or merchandize shall also be sold.

Art. 6. The results of the sale of the haschisch, and of the other objects or merchandize, shall be paid in to the funds of the Custom-house, with a deduction of a fourth, which will be distributed to the officers who effected the seizure, as a bonus. If there are informers, that bonus will be divided between them and the officers who effected the seizure, in equal shares.

Art. 7. The present provisions apply equally to the haschisch, and the other merchandize which has served to introduce it, already seized and now lying in the Custom-house warehouses.

Art. 8. Article 4 of the first Decree of the 29th March, 1879, and Article 11 of the second Decree of the same day, are annulled.

Art. 9. Our Ministers of the Interior and of Finance are charged, each as regards that which concerns him, with the execution of the present Decree.

Done at the Palace of Abdin, on the 10th March, 1884 (12th Gamad Awal, 1301).

(Signed) MÉHÉMET TEWFIK.

By order of the Khedive:

(Signed) NUBAR,

*President of the Council of Ministers, and Minister
of the Interior (ad interim).*

(Signed) MOUSTAPHA FEHMY,
Minister of Finance.

APPENDIX (C).

Decree of May 28, 1891.

Nous, Khédive d'Égypte,
 Vu notre Décret en date du 10 Mars, 1884,
 Sur la proposition de notre Ministre des Finances et l'avis
 conforme de notre Conseil des Ministres ;

Décrétons :

Article 1^{er}. L'Article 1^{er} de notre Décret précité est modifié
 comme suit :

La culture du hachich est interdite dans tout le territoire
 de l'Égypte, et elle est punie d'une amende de £ E. 50 par
 feddan ou fraction de feddan.

En cas de récidive, l'amende sera portée à £ E. 100.

L'introduction, la mise en vente, et la simple détention du
 hachich sont également prohibées, et elles sont punies d'une
 amende à raison de £ E. 10 par kilogramme ; mais cette amende
 ne pourra jamais être inférieure à £ E. 2, quelle que soit la
 quantité au-dessous d'un kilogramme.

La même peine est applicable pour la tentative d'intro-
 duction.

En cas de récidive l'amende sera portée à £ E. 30 par
 kilogramme, sans qu'elle puisse être inférieure à £ E. 6, si la
 quantité est moindre d'un kilogramme.

Les plantes seront détruites et le hachich sera confisqué.

Art. 2. Les autres articles de notre Décret du 10 Mars, 1884,
 sont maintenus.

Art. 3. Nos Ministres de l'Intérieur et des Finances sont
 chargés, chacun en ce qui le concerne, de l'exécution du présent
 Décret.

Fait au Palais de Ras-el-Tine, le 30 Chawal, 1303
 (28 Mai, 1891).

(Signé) MÉHÉMET TEWFIK.

Par le Khédive :

Le Président du Conseil des Ministres,

Le Ministre de l'Intérieur,

(Signé) MOUSTAPHA FEHMY.

Le Ministre des Finances,

(Signé) ABDER RAHMAN ROUCHDY.

(Translation.)

We, Khedive of Egypt,
 With reference to our Decree of the 10th March, 1884,
 On the motion of our Minister of Finance, and with the
 assent of our Council of Ministers;

Decree :

Article 1. Article 1 of the above Decree is modified as follows :

The cultivation of haschisch is forbidden in all the territory of Egypt, and will be punished by a fine of £ E. 50 per feddan or fraction of feddan.

In case of a second offence, the fine will be increased to £ E. 100.

The importation, sale, and mere possession of haschisch are also forbidden, and will be punished by a fine at a rate of £ E. 10 per kilogramme ; but this fine will never be less than £ E. 2, however much the quantity may be below a kilogramme.

The same penalty will apply to an attempt at importation.

In case of a second offence, the fine will be increased to £ E. 30 per kilogramme, though it shall not be less than £ E. 6 if the quantity is less than a kilogramme.

The plants will be destroyed and the haschisch confiscated.

Art. 2. The other Articles in our Decree of the 10th March, 1884, are maintained.

Art. 3. Our Ministers of the Interior and of Finance are charged, each as regards that which concerns him, with the execution of this Decree.

Done at the Palace of Ras-el-Tin, the 30th Chawal, 1308 (28th May, 1891).

(Signed) MÉHÉMET TEWFIK.

By order of the Khedive :

(Signed) MOUSTAPHA FEHMY,
President of the Council of Ministers, and
Minister of the Interior.

(Signed) ABDER RAHMAN ROUCHDY.
Minister of Finance.

Inclosure 2 in No. 1.

Memorandum by Colonel Settle on Action of Police respecting Haschisch.

IN accordance with Article 55 of Customs Regulations of 1890, haschisch, being prohibited by the Government, is a contraband article.

1. By Article 43, search only can be made by written order of Director of Customs.

2. Should, however, the police at any time hear of haschisch being smuggled, and they have not time to inform the Customs authorities to enable them to give the necessary order, they obtain a search-warrant from the "Parquet," or from the Consular authorities.

3. With regard to haschisch being consumed in a public establishment, the police officers are empowered to enter and place the offenders in contravention.

4. Seizures have been made under paragraph 2 of above by the police, but there is considerable difficulty in stopping the consumption in public establishments, owing to the fact that the smoking is carried on in a very guarded manner in private rooms, and that the smokers bring their own haschisch. Thus, when a search is made, no haschisch is, as a rule, found in the establishment.

The number of contravention cases for haschisch in Cairo during the current year amount to 84; the quantity seized, 101 okes.

(Signed)

HENRY H. SETTLE,

Inspector-General of Police.

December 1, 1892.

GREECE.

No. 2.

Mr. Egerton to the Earl of Rosebery—(Received December 10.)

My Lord,

Athens, November 26, 1892.

EXACT statistics respecting haschisch do not exist in Greece, but the following which I have obtained on the subject, through M. Tricoupi, from M. Gennadius, of the Agricultural Department, appear to afford the information demanded by your Lordship's despatch of the 14th instant.

There is no importation of haschisch into Greece, but there is now a very small exportation, of which the amount cannot be officially known.

The plant, a variety of hemp, is only, according to M. Gennadius, grown—and that on a very limited scale—at and about Mantinea, near Tripoli, in Arcadia. It has been cultivated there for about 15, or at most 20, years. Formerly, it was grown a little in the neighbourhood of Missolonghi; but the culture of it there has since been abandoned. It is rather hard to clear the soil from it where it has been planted.

The preparation of the drug is generally made by the grower, who, gathering the flowers, collects from them the resinous or waxy matter they contain (the pollen). He then, M. Gennadius informs me, kneads it, and makes a paste of it, cuts it into cakes, and it then forms the haschisch of commerce.

There is no Greek law in existence regulating or specially alluding to the production, manufacture, or export of haschisch.

The sale of it as merchandize is allowed, but a Police Order of last year at Athens prohibits its sale and consumption in the small *cafés* of Athens and the Piræus, in some of which, during the last 10 or 15 years apparently, the habit of using this drug has been gradually introduced. The police possess the right to thus interfere with the public consumption of haschisch, in virtue of a law of 1833, which empowers the police to prevent the consumption of everything which is injurious to the public health.

I have the honour to inclose herewith a translation, by Mr. Martelaos, of the Police Order in question, as also of the Circular of the Minister of the Interior of the previous year, on which it is based, and which is accompanied by an extract from a Report, drawn up by the Sanitary Board at his request.

A translation of a Report of the Mayor of Orchomenos, a district north of Mantinea, giving a description of the preparation of haschisch in that district, is also annexed.

I have, &c.

(Signed) EDWIN H. EGERTON.

Inclosure 1 in No. 2.

Report by the Director of the Administrative Police of Athens and the Piræus respecting the Prohibition of the Smoking of the Vegetable Substance called "Haschisch."

(Translation.)

AT Athens, this 20th day of September, 1891, we, the Director of the Administrative Police of Athens and the Piræus, taking into consideration Articles 21, 56, and 57 of the Royal Decree of the 31st December, 1836, and Article 6 of the Law concerning the establishment of the Administrative Police; and having observed that in many *cafés* and outlying shops in the cities of Athens and Piræus use is made, by smoking, of the vegetable substance called "haschisch," which, in the opinion of the police doctors, is noxious to the health of those who make use of it;

Being bound by duty to prevent the harm produced by such use of haschisch;

Do make the following Order :

(a.) We forbid the use by smoking of the above-mentioned vegetable substance, both in *cafés* and other shops ; and

(b.) We forbid the sale, by dealers in such vegetable substance, to owners of *cafés* and other persons unknown who are not dealers in it.

Persons infringing the present Order, which shall be inserted also in the official Gazette, shall be punished in accordance with Articles 560, 561, and 564 of the Penal Code ; and if they are taken in the act they will be conducted to the Police Office, and, in the meantime, the vegetable substance in question found in their shops will be seized.

The execution of the present Order is intrusted to the police and the gendarmerie.

(Signed) J. SPYROMILIOS,
The Director of Police.
 E. A. SOTIRCHOS,
The Secretary.

Inclosure 2 in No. 2.

Circular No. 22, Register No. 5070, concerning the Prohibition of the use of Haschisch.

(Translation.)

Kingdom of Greece.

THE Ministry of the Interior to the Prefects of the Kingdom, and the Director of the Administrative Police of Athens and the Piræus :

The Ministry, having the intention of taking measures against the increasing use of haschisch as noxious, deemed it advisable previously to ask the Sanitary Board for information and for its opinion on the subject.

Now, whereas, according to their Report, an extract from which is annexed to the present Circular, the use of haschisch produces disastrous effects, it is our duty rigorously to forbid it. With this object, we instruct you to request all the Municipal and Police authorities in your district to issue, in virtue of the present Circular, of Articles 24 to 26 of the Law concerning Municipal Police, and of Article 8 of the Royal Decree of the 29th March, 1835, orders forbidding the use of haschisch in *cafés* and all other places, under the penalties provided in Articles 564 and 697 of the Penal Law, and also to close establishments in which it should be found that haschisch is supplied to persons frequenting them ; and, further, that strict vigilance should be exercised both by the police and by the gendarmerie, to whom the present Circular should be communicated, as well as the police Regulations to be issued on the

subject, in order to render the prohibition effective by constant search and inquiry, and by the immediate prosecution of offenders and the closing of their establishments.

We expect to receive from you in due course a Report concerning your action in the execution of the present Circular.

(Signed) S. DRAGOUMIS,
The Minister.

Athens, March 27 (April 8), 1890.

"Careful scientific observation in warm countries (in Africa, Persia, India, and Turkey), in which the intoxicating qualities of the Indian hemp, and of the haschisch which is manufactured from it in various forms, have long been known, and its use widely prevalent, has long ago proved the disastrous effects produced by the use of haschisch. From the observations made in India by English doctors (O'Birest, Raleigh, O'Shaugnessy, Esdade) [*sic*] the experiments of Léautaud, the observations of Mongieri, the numerous experiments of M. Moreau (of Tours), and his observations during his journey in the East, the experimental researches of Von Schroff and Fronmüller, and observations of other inquirers, the following safe conclusions are drawn:—

"(a.) That haschisch disturbs the functions of the systems of digestion and circulation;

"(b.) That it injures the senses and motive powers;

"(c.) That it disturbs the cerebral functions;

"(d.) That the action of haschisch manifests itself differently in different persons.

"The action on the circulation of the blood sometimes causes syncope, and the disturbance of the cerebral functions produces mania. The disturbances of the nervous system caused in the animal economy by the use of haschisch are peculiar. The phantoms seen by, and the tendencies manifested in those who are intoxicated with haschisch, generally indicate the usual habits of thought and moral character of the intoxicated person, or the thoughts and passions by which the man was possessed on the day that he became intoxicated, or at the moment in which the symptoms of poisoning began to make themselves manifest. Persons given to the use of haschisch, who become maniacs, are apt to commit all sorts of acts of violence and murders.

"Such being the action of haschisch, it is easy to understand why, among rogues and convicts, quarrels, violence, and murders are of common occurrence, and how dangerous is the use of haschisch by this particular class of people.

"Sometimes the intoxication of haschisch impels the person under its influence to suicide, or the commission of acts forbidden by morality.

"All authors are unanimous, basing their opinion on

numerous observations among Eastern peoples, that the long use of haschisch *weakens the body and causes atrophy, dulls the mind, and creates hypochondria, idiocy, and mania.* Those who indulge in haschisch have a fixed look, without expression, and an idiotic appearance. According to statistical information obtained from the lunatic asylums of Cairo and Bengal,* the majority of the maniacs and idiots became such from abuse of haschisch.

"It is, therefore, indisputable that the use of haschisch has a disastrous effect, gradually undermining the health of body and spirit, and becoming a source of evil to society.

"Such being the case, and such being the harm caused to society by the use of haschisch, the Sanitary Board is naturally of opinion, not only that its use should be immediately and rigorously forbidden in the prisons and *cafés*, and that, if necessary, those of the latter which supply haschisch to their customers should be closed, but also that the importation of Indian hemp and of its preparations as an article of trade—not for medicinal purposes—and its cultivation in Greece should be forbidden by law.

"The Sanitary Board greatly fears that if the use of haschisch be not forbidden at once, it will imperceptibly and gradually extend into a wider circle, not only among the common refuse of society, but among the nation itself, and will shortly produce those disastrous results of which a condensed but faithful picture has been given above, and which have been observed in hot countries, and have caused so much misery in them. It may be added that this is not the first time in which the use of haschisch has been observed among the convicts in Greek prisons, but that the habit is of long standing, as appears from a statement published in 1885, by Dr. Papavasiliou, at that time the prison doctor."

* Returns received at the India Office show the following result:—

Ascribed or alleged Causes of Madness among Inmates of Indian Lunatic Asylums.

	Year.	Total Number of Lunatics whose cause of madness is—		Number of Lunatics whose madness is ascribed to the abuse of—		
		Unknown.	Known.	Ganja Bhang, or Charas, (Haschisch).	Opium.	Spirits.
Bengal	1891	597	637	260	11	56
Ditto	1890	587	611	258	10	58
All India, including Bengal {	1891	2,766	2,567	820	47	171
	1890	2,777	2,591	865	45	171

Inclosure 3 in No. 2.

Report of the Mayor of Orchomenus in Mantinea concerning the Haschisch.

(Translation.)

HAVING been called upon by a Ministerial Order to give information about the cultivation, &c., of the haschisch in my commune, I hasten to make the following statement:—

Ten years ago,* the cultivation of haschisch has been introduced into the Commune of Orchomenus from the neighbouring Communes of Mantinea, in which, as well as in Argolide, it was previously tried by Egyptian, Cypriote, and other immigrants from the East, who came and taught the cultivation and preparation of this product in Greece.

Haschisch is sown in February, March, and April, in first-class lands, which are ploughed once and rarely twice. The quantity of seed for each stremat† amounts to 200 to 300 drammes.‡ The season for the collection of the crop are the months of August and September. During the time in which the plant remains in the soil, two cultures take place. First is the thinning, and particularly the taking-off of the plants called "male plants"—which are useless and unproductive—and the maintenance of the female plants, so that the latter should be at a distance from one another of from 20 to 25 centimetres. After this, the hoeing of the soil is carried out in the month of May or June, that is to say, after the plant begins to develop, and when the distinction of the male from the female is possible. The male is distinguished from its leanness, yellowish hue, and from its few branches, and the female from its thickness, very green hue, and its many branches. It is to be noted that the male plants are also the rarest, being at a proportion of three to seven to the females.

The picking of the haschisch is carried out in the same manner as that of Indian corn. After the picking, if rain occurs, or the soil be irrigated, the crop increases by one-third. Haschisch, however, is the only plant which resists drought, and which does not make the agriculturalist despair for want of rain, as is the case with Indian corn. Those who sow many fields, and who, consequently, have not the time to attend to their regular culture, do not twice plough the soil, nor take off the male plants, nor do they hoe the soil nor water it; nevertheless, they obtain a fair crop, although this be the half, the third, or fourth of the crop gathered in regularly cultivated fields.

The crop is gathered, as above stated, in August and

* The Report was written in 1886.

† The strema is equal to $\frac{1}{4}$ of an acre.

‡ The oke = 2·8 lbs.; an oke = 400 drammes.

September, when the plant takes a rosy hue; its leaves withering fall down, and if the plant be violently shaken the seed also falls, only the small petals covering them remaining, which contain the resinous substance from which the valuable powder of the haschisch is made. In order to gather this material, the plant is cut off near the root by a scythe or a pruning knife, if they be thick, as it is the case in very fertile fields, in which case they have a diameter near the root of 5, 8, or 10 centimetres. The plants thus cut off are placed on threshing floors, or even on the field itself, in order to get perfectly dry, when they lose the one-third of their weight. The proportion of the resinous small petals, and of the seed to the stems and the branches, is one or two parts to three. If at the time of drying rain occurs no harm is caused to the crop, provided, after the rain ceases, it be turned over many times in order to cause the evaporation of the dampness, which may produce rot; and then it is made into bundles.

After the leaves are dried up the bundles are stored in rows, till the separation of the resinous petals be carried out either by the hand or by an instrument.

The powder of the haschisch (namely, the haschisch which is used in commerce) is extracted from the plant; this is prepared by instruments by which the leaf is separated into three parts, of which the one is the seed, the other the bran, and the third the resinous substance of the powder, namely, the haschisch which is used in commerce. The bran is burnt as useless, or is thrown into ditches to get rotten, and then be used as manure; the seed is used for feeding domestic animals, for producing oil for machines, or for sowing.

The powder, which is the principal object of cultivation, is most valuable, and is exported by merchants. The usual time for the preparation of this powder is the winter, or the beginning of the spring, when temperature is not high, because a warm atmosphere causes the resinous substance of the leaf to melt.

A field of first quality, when first sown, produces 80 to 100 okes of stems and flower per strema. This field, sown five times in every ten years, produces at the end only the half of this quantity, and its productive power in cereals is reduced at the same proportion.

The average production of sown fields amounts to from 30 to 40 okes of stems and flowers of haschisch per strema; and a field of middle quality, consisting of 10 stremas, produces 350 okes at the following expense:—Four daily wages for ploughing; three for sowing; two for the taking off of the male plants; six for picking; four for harvesting; one for turning up the leaves on the threshing floor; twenty-five for cutting the leaves, and ten for the production of the powder; in all, fifty-five days' wages. The amount of a day's wages for ploughing varies from 4 to 6 drachmas,* and that for

* One drachma, at the present rate of exchange = about 7d.

picking amounts to 2 drachmas. The daily wages for the cutting of the plants and making the powder, which work is usually performed by women, girls, and boys, is paid at 1 to $1\frac{1}{2}$ drachmas, namely, the expense, in all, for the cultivation of a field of 10 stremas, and the preparation of the product for sale, amounts to from 90 to 120 drachmas. The haschisch, cut and picked, is priced at 50, 80, 90, or 100* lepta per oke, according to its quality, and the demand for it; the price of the powder varies between 12 to 20 drachmas. This price abroad is three or four times higher. In order to produce 1 oke of powder, 20 okes at least of stems and flowers are required, and to 1 oke of flowers correspond 80 drammes of seed. The seed is priced at 20 to 25 lepta per oke.

We must add that the growing of the haschisch is not possible on all lands. The lands that are good for such cultivation are the fertile lands, and those situated in temperate climates. Marly and calcareous and mountainous and reddish soil, as well as those lands, which have shade at the time of the maturity of the plant, are not fit for such cultivation.

Ever since the cultivation of this kind of plant began in the Commune of Orchomenus, a very great agricultural activity is observed.

TURKEY.

No. 3.

Sir Clare Ford to the Earl of Rosebery.—(Received December 26.)

My Lord,

Constantinople, December 19, 1892.

IN obedience to the instructions contained in your Lordship's despatch of the 14th ultimo, I have the honour to transmit a Report, drawn up at my request by Mr. Fontana, on the manufacture of haschisch, together with translation of the Regulations issued within the last sixteen years, prohibiting the sale or introduction into this country of the drug.

I transmit also copy of a short Memorandum by Mr. Evelyn Fawcett on the manufacture and use of haschisch.

I have, &c.

(Signed) FRANCIS CLARE FORD.

* The drachm = 100 lepta = 1 franc = 10d.

Inclosure 1 in No. 3.

Report by Mr. Fontana.

WITH reference to Foreign Office despatch of the 14th ultimo, desiring information as to the trade in haschisch, as carried on in Turkey, I have the honour to submit herewith copies (with translations) of Regulations in force for the last fifteen years, prohibiting the use and cultivation of haschisch in Turkey, together with its importation and exportation abroad, on the ground of it being a powerful narcotic, and injurious to health.

As regards the preparation of haschisch, which is merely the resinous matter contained and exuded by the fruit of the Indian hemp (*cannabis indica*), it will be seen by reference to Mr. Fawcett's Memorandum, hereto annexed, that its usual mode of preparation throughout the East consists in infusing the fruit of the plant in hot butter or grease, and subsequent filtration. The substance thus obtained is pressed into cakes, or ground into powder, &c., and sold in that form. The importation and sale in Turkey of haschisch, though contraband, is still, I hear, largely carried on, and is used for smoking, in the composition of various sweetmeats, and as an opiate in general. In Egypt, its cultivation and importation were, it appears, prohibited by the late Khedive.

 Inclosure 2 in No. 3.

Note, dated the 1st March, 1292, respecting the Prohibition of Haschisch cultivation, addressed by the Grand Vizier to the Ministry of Commerce.

THE cultivation of haschisch in the Ottoman Empire was prohibited by Imperial Iradé. Upon notice, however, being received to the effect that the said product was still in use, and under cultivation in certain districts, correspondence was opened with your Ministry with respect to the advisability of confirming the Resolution passed against such cultivation, and, after numerous communications had been received from the Ministry of Finance, the matter was referred to the Administrative Assembly of the School of Medicine, and an answer was received to the following effect:—

From the reports furnished by the Imperial Medical Council, it appeared that the use of haschisch in the preparation of medicines was extremely rare, and that being a narcotic its use must of necessity be injurious, and that, consequently, the suppression of the cultivation of haschisch could not fail to prove highly advantageous.

Upon reference to the Treasury, it was ascertained that no entry had been made with reference to the levy of duty upon the said drug. Accordingly, notice was given to the various vilayets in general, and more particular instructions were sent to the Valis and Mutessarifs, in the sense of the decision passed by the Council of State, prohibiting the cultivation and use of haschisch, and the matter was also brought to the knowledge of the said Ministry.

Inclosure 3 in No. 3.

Circular addressed by the Imperial Comptroller of Customs at Constantinople to the various Customs Administrations in Turkey.

GENERAL notice was given by Circular, dated the 29th Zi-ul-Akhir, 1282, that any haschisch arriving at the Custom-houses on the Anatolian coasts for exportation to Egypt and abroad should be allowed to pass after levy of duty, and that any haschisch sent to any other destination should be seized, and information given to our Ministry as to its value, quantity, and the names of the owners, and specifying through what Custom-house it had passed. However, as the use of haschisch is injurious, its further use at home, and exportation abroad, can no longer be sanctioned; accordingly, a Resolution was passed prohibiting its cultivation in Turkey. Correspondence was thereupon opened on the subject, and an answer was received from the Ministry of Finance, dated the 17th Cheval, 1294, forwarding a copy of a Vizierial Order received by them to the effect that thenceforth any haschisch reaching the Custom-houses should be seized and burnt—if at Constantinople by the Customs Council, and if in the provinces by the Administrative Councils—and that the requisite Report should then be drawn up and handed in. The letter and inclosure was referred to our Secretary, who reported that the Order in question specified that all haschisch arriving at either of the different Custom-houses should be seized and burnt as above described, that a Report should be drawn up and forwarded to our Ministry, and that, further, should any confiscated haschisch be lying at the present time in any Custom-house the same treatment should be applied to it, and the regular Report drawn up and handed in; and that this decision had been confirmed.

As the Vizierial Order is now being communicated to the various Customs Administrations, the requisite number of copies thereof are herewith inclosed for communication to the different Customs Departments under your direction, and it is requested that you will do what is necessary in the matter.

21st Teshrin-Evvel, 1293.

Inclosure 4 in No. 3.

Memorandum by Mr. Fawcett on the Preparation of Haschisch.

INDIAN hemp (*chanvre indien*, *cannabis indica*) is a vegetable, and its preparations are called by the name of "haschisch." The word "haschisch" is Arabic, and really means herb. "Bang," "bhang," "bangie," is the Persian. In Algeria it is called "Haschisch al fokara" (haschisch of the fakirs). This plant, in its natural state, is much less used than the preparations which are made from it. However, in some countries, like Turkey, Egypt, Tunis, and Algeria, it is smoked or chewed like tobacco, either alone or mixed with the latter, or with other substances. In Asiatic Turkey, haschisch is known under the name of "esrar," and is consumed like syrup with aromatic substance added to it, and is smoked as a pastille of about 4 grammes weight, made of paste formed of "esrar," slightly roasted, and with a strong infusion of coffee. It is said that haschisch smokers are exempted from rheumatic pains. "Madjoun," of Algeria, is a mixture of honey and haschisch powder, slightly roasted. Infusions, decoctions, and various beverages are also prepared directly from the plant. Water distilled from haschisch has no stupefying action.

The thick extract of haschisch is usually made in the East by boiling the flowery extremities of the fresh plant with butter and a little water. When this has evaporated, and the butter has become sufficiently impregnated with the active principle of the drug, it is strained. When prepared, it is a sticky ointment, yellowish-green in colour, of a nauseous taste, and smells both of butter and haschisch together. This is the strongest preparation that is made in the East. It is taken either in the form of pills, or mixed with black coffee, but, on account of its pungent taste, it is rarely used by the Arabs in these forms. They prefer making it into pastes or pastilles, adding all sorts of aromatic spices, such as cinnamon, vanilla, nutmeg, essence of rose, of musk, &c. The cultivation and use of haschisch, or esrar, was largely carried on in the Ottoman Empire in former years, but it has of late been strictly prohibited by Imperial Iradé: firstly, on account of its being little used in the preparation of medicines; secondly, because, as a narcotic, it is injurious to health.

COMMERCIAL. No. 9 (1893).

CORRESPONDENCE

RESPECTING THE

RATIFICATION OF THE NORTH SEA LIQUOR
TRAFFIC CONVENTION

OF

NOVEMBER 16, 1887.

[In continuation of "Commercial No. 5 (1888) :—" C. 5263.]

*Presented to both Houses of Parliament by Command of Her Majesty.
May 1893.*

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Correspondence respecting the Ratification of the North Sea Liquor Traffic Convention of November 16, 1887.

[In continuation of "Commercial No. 5 (1888) : " C. 5263.]

No. 1.

Mr. Gosselin to the Marquis of Salisbury.—(Received June 25.)

(Extract.)

Brussels, June 22, 1891.

I HAVE the honour to report that, according to information received at the Ministry for Foreign Affairs, the Commission of the French Chamber of Deputies, to which the Bill, giving effect to the penal provisions of the North Sea Liquor Traffic Convention of November 1887, was referred, are unanimously of opinion that it should be thrown out.

The French Government, when asked to explain the reasons of this opposition, replied that several provisions of the Convention are distasteful, and are apparently unwilling to explain the matter further; but it is thought not unlikely that the extreme sensitiveness of French public opinion with regard to the exercise of any control over French vessels by foreign cruisers may be the motive of the opposition now raised to the ratification of the Convention by the French Government. As your Lordship is aware, since the promulgation of the Netherlands Law of the 15th April last, giving effect to the Convention, France is the only Signatory Power who is not yet in a position to ratify that Act.

No. 2.

The Marquis of Salisbury to Sir H. Rumbold.

Sir,

Foreign Office, June 27, 1891.

I TRANSMIT to you herewith a copy of a despatch from Mr. Gosselin* relative to the attitude of the French Government and Legislature with respect to the Convention of the 16th November, 1886, for regulating the liquor traffic in the North Sea.

I have to request that you will take an early opportunity of ascertaining the views of the Netherlands Government on the subject. In this conversation, you should endeavour to learn precisely what further steps have to be taken in the countries parties to the Convention to carry it into effect, and suggest, with the view to hasten its ratification, that France might carry out the search of her own ships.

I am, &c.

(Signed) SALISBURY.

The Earl of Lytton to the Marquis of Salisbury.—(Received June 29.)

My Lord,

Paris, June 27, 1891.

WITH reference to previous correspondence on the subject of the North Sea Liquor Traffic Convention, I have the honour to transmit to your Lordship herewith a despatch from Sir J. Crowe, calling attention to the statement made by the French Minister for Foreign Affairs in the debate upon the Brussels General Act, that it was not his Excellency's intention to ask the Chamber of Deputies to ratify the Convention in question.

I beg to inclose the text of M. Ribot's observations upon this matter.

I have, &c.

(Signed) LYTTON.

Inclosure 1 in No. 3.

Sir J. Crowe to the Earl of Lytton.

My Lord,

Paris, June 27, 1891.

MAY I draw your Lordship's attention to the statement made by M. Ribot in the debate on the General Act of the Conference of Brussels on the 25th instant with reference to bum-boats at sea.

M. Ribot said there was an unratified Convention in existence which conferred the right of "enquête de pavillon" and of search for unlawful distribution of liquor on board of boats. The intention was to prevent the trade of floating public-houses.

The Commission to which this Convention was referred had come to the conclusion that the interests engaged in this matter were not so important that it would be proper, on their account, to surrender the incontestable principle of our law; and though he did not like to abandon an "opus" which had been received from a predecessor, he might declare that he thought the Commission in this case right, and he would not ask the Chamber to ratify this Convention.

I have, &c.

(Signed) J. A. CROWE.

Inclosure 2 in No. 3.

Extract from the "Journal Officiel" of June 26, 1891.

LE Parlement a voté en 1882 la ratification d'une Convention passée avec tous les pays du nord—y compris l'Allemagne, M. Piou—et qui donne aux navires de guerre de toutes les nations contractantes le droit, non pas seulement de vérifier le pavillon des navires de pêche—et vous savez quelle grande partie de notre force maritime constitue cette flotte de nos modestes pêcheurs et de nos vaillants marins—mais de pénétrer dans les bâtiments et de faire toutes les recherches nécessaires pour la constatation des délits.

Je reconnais avec vous que ce n'est pas là la vraie, la bonne doctrine, et qu'il ne faudrait pas multiplier les dérogations de ce genre sous peine de détruire, dans la pratique, les traditions telles que nous les avons établies.

Pour vous montrer avec quel soin je veille sur cette partie de notre droit public, permettez-moi de vous rappeler qu'une autre Convention de ce genre, signée par un Ministre précédent, qui siège encore dans cette Chambre, donne le droit d'enquête de pavillon et de visite pour des faits infiniment moins graves, c'est-à-dire pour des faits de distribution illicite de boissons à bord des bateaux. On a voulu frapper les cabarets flottants. La Commission chargée d'examiner cette Convention a pensé à l'unanimité que l'intérêt n'était pas tel qu'il fallût faire brèche aux principes incontestés de notre droit, et, bien que je n'aime pas à abandonner une œuvre que j'ai reçue d'un prédécesseur, je puis déclarer que, sur ce point, j'estime que la Commission a raison, et je ne demanderai pas à la Chambre la ratification de cette Convention.

(Translation.)

THE Parliament in 1882 voted for the ratification of a Convention concluded with all Northern countries—including Germany, M. Piou—which gives to the ships of war of all

the Contracting Parties the right not only of verifying the flag flown by fishing boats—and you are aware how large a portion of our maritime power consists in our fleet of modest fishermen and valiant sailors—but also of boarding these vessels and of carrying out a search for the discovery of crimes.

I agree with you that this doctrine is not a true and proper one, and that such departures from our principles should not be multiplied for fear of destroying, in practice, the traditions which have been established by us.

To show you the care with which I am watching over this part of our public law, allow me to remind you that there is another Convention of this kind, signed by a former Minister, who still sits in this Chamber, which gives the right of investigating the flag and searching the vessel for an infinitely less serious offence, that is to say, the illicit distribution of drink on board fishing-vessels. The object was to strike at the floating grog-shops.

The Commission charged with the duty of examining this Convention were unanimous in thinking that the interests involved were not sufficient to justify a breach being made in the undisputed principles of our law, and although I do not like to abandon a work which I have received from a predecessor, I can declare that I consider the Commission are right on this point, and that I shall not ask the Chamber to ratify this Convention.

No. 4.

The Marquis of Salisbury to the Earl of Lytton.

(Telegraphic.)

Foreign Office, June 30, 1891.

YOUR despatch of the 27th instant.

Statement in Chambers as to non-ratification of Liquor Traffic Convention learnt with great surprise.

Cannot think that France will imperil an agreement so salutary for welfare of seamen of all nations. French interests little affected. Vessels concerned chiefly of other nationalities. Inquire and report further.

No. 5.

Sir H. Rumbold to the Marquis of Salisbury.—(Received July 1.)

My Lord,

The Hague, June 30, 1891.

I SAW M. Hartsen yesterday, and, as instructed by your Lordship in your despatch of the 27th instant, endeavoured to ascertain from him what were the views of the Netherlands Government on the subject of the attitude of the French Government and Legislature with respect to the North Sea Liquor Traffic Convention.

M. Hartsen said that he sincerely regretted the opposition now offered in France to the Convention. All he knew so far on the subject was from the French Minister, M. Legrand, who, a few days ago, had referred to it in conversation, saying that there existed a strong feeling in France against the Convention; that France had little or no interest in its coming into operation, and that the Committee of the Chamber of Deputies had reported against its adoption.

I observed that this entirely agreed with the information which had reached Her Majesty's Government. What, therefore, seemed most essential was that the other Powers parties to the Convention should first endeavour to elicit from the French Government a clear statement of the grounds on which they demurred to the Convention. It would then be possible to consider if any and what concessions might be made to them with a view to obtaining their final adhesion. I then mentioned, as being a suggestion thrown out by your Lordship, that perhaps France might be allowed to carry out the search of her own ships.

M. Hartsen seemed to approve of this suggestion, and he expressed his readiness to instruct the Dutch Minister at Paris to begin by trying to obtain from the French Government some positive statement of their objections. If your Lordship concurred, Her Majesty's Ambassador at Paris, and, he supposed, the Representatives of the other Powers, might be instructed to speak to M. Ribot in this sense. As regards any modification of the Convention, he supposed that such could only be made by calling together the Conference.

During my interview with M. Hartsen, I ascertained that in all countries parties to the Convention nothing more remained to be done to carry it into effect. Only in Germany the law for putting it into operation ("Loi d'Exécution"), which was ready, and had been communicated to the Netherlands Government, had not yet been laid before the Parliament. The reason of this was believed to be that the German Government awaited action in France. This did not, however, in the least mean that the German Government were not strongly in favour of carrying out the Convention with all speed.

I have, &c.
(Signed) HORACE RUMBOLD.

No. 6.

The Marquis of Salisbury to the Earl of Lytton.

(Telegraphic.)

Foreign Office, July 1, 1891, 7.45 P.M.

HER Majesty's Minister at the Hague reports that Signatory Powers, except France, are ready to ratify Convention, but German Law to put it in force is not passed yet pending action of France.

No. 7.

The Marquis of Salisbury to the Earl of Lytton.

My Lord,

Foreign Office, July 2, 1891.

WITH reference to my telegram of yesterday, I transmit to your Excellency herewith copies of correspondence, as noted in the margin,* relative to the refusal of the French Government to proceed with ratification of the Convention of the 16th November, 1887, relative to the liquor traffic in the North Sea.

I have to request your Lordship to endeavour, in such manner as in your discretion seems best, to obtain from the French Government (as suggested by the Netherlands Minister for Foreign Affairs) some positive statement of their objections to this Convention, and if you think it advisable to communicate on the subject with the Representatives of other Powers interested in the matter.

It is to be borne in mind that if France persists in withholding assent to the Convention, but is willing to undertake the search of her own vessels, there are only two alternatives, namely, to call the Conference together again in order to modify the Convention in that particular—a modification which might perhaps be effected in proceeding to its ratification, or else to let the Convention fall. If no security is obtained with respect to French vessels in the repression of the abuses which it is the object of the Convention to stop, "Coopers" in the North Sea would no doubt hoist the French flag.

I am, &c.
(Signed) SALISBURY.

No. 8.

The Marquis of Salisbury to Sir H. Rumbold.

Sir,

Foreign Office, July 2, 1891.

I HAVE to acknowledge the receipt of your despatch of the 30th ultimo, and I transmit herewith copies of a telegram and a despatch which have been addressed to Lord Lytton relative to the present position of the question of the liquor traffic in the North Sea.†

I have to request that you will make known to M. Hartsen the action thus taken by Her Majesty's Government.

I am, &c.
(Signed) SALISBURY.

* Nos. 1, 2, and 5.

† Nos. 6 and 7.

No. 9.

The Earl of Lytton to the Marquis of Salisbury.—(Received July 3.)

My Lord,

Paris, July 1, 1891.

I HAVE the honour to inform your Lordship that, in accordance with the instructions contained in your telegraphic despatch of yesterday, I have caused inquiries to be made at the French Foreign Office with regard to the statement made by the French Minister for Foreign Affairs in the Chamber of Deputies, in the course of the debate upon the ratification of the Act of the Conference of Brussels, that it was not the intention of his Excellency to ask the Chamber to ratify the North Sea Liquor Traffic Convention.

The Bill to sanction the Convention, together with a Bill for the enactment of the necessary legislation, was submitted in the usual course to a Commission of the Chamber of Deputies on the 1st February, 1890. It appears, however, that the Commission in their Report, which was submitted in draft to the Minister for Foreign Affairs not many weeks ago, reported almost unanimously against the Bill, on account of the clause contained in the Convention with regard to the search of suspect vessels.

In these circumstances, M. Ribot considered it was useless to proceed with the discussion of the Bills; and he had already determined to shelve them when the discussion upon the Brussels Conference came forward.

As your Lordship is aware, the result is that, as far as France is concerned, her assent to both Conventions is practically refused, or, at all events, indefinitely postponed.

I have, &c.
(For the Ambassador),
(Signed) C. T. MAUDE.

No. 10.

*The Marquis of Salisbury to Sir H. Rumbold.**

Sir,

Foreign Office, July 4, 1891.

I TRANSMIT herewith, for your information, a copy of a despatch from Lord Lytton relative to the non-ratification by France of the Convention of the 16th November, 1887, respecting the liquor traffic in the North Sea.†

I am, &c.
(Signed) SALISBURY.

No. 11.

Sir H. Rumbold to the Marquis of Salisbury.—(Received July 6.)

My Lord,

The Hague, July 4, 1891.

ON the receipt of your Lordship's despatch of the 2nd instant, I called upon M. Hartsen, and left with him a copy of the despatch addressed by your Lordship to Her Majesty's Ambassador at Paris on the question of the liquor traffic in the North Sea, as affected by the refusal of the French Government to proceed with the ratification of the Convention of the 16th November, 1887.

M. Hartsen thanked me for this communication, and said that instructions would forthwith be sent to the Dutch Minister at Paris in the same sense as those furnished to Lord Lytton.

With reference to the opinion expressed by your Lordship, that a modification of the Convention, whereby the search of her own vessels should be left to France, might perhaps be effected when proceeding to its ratification, M. Hartsen observed that the suggestion seemed to him to be a good one.

I have, &c.
(Signed) HORACE RUMBOLD.

* Also to Mr. Gosselin.

† No. 9.

No. 12.

The Earl of Lytton to the Marquis of Salisbury.—(Received July 8.)

My Lord,

Paris, July 7, 1891.

I HAVE the honour to inform your Lordship that on receipt of your despatch of the 2nd instant, relative to the refusal of the French Government to proceed with the ratification of the Convention of the 16th November, 1887, for the suppression of the liquor traffic in the North Sea, I thought it advisable, before communicating with the French Government in the sense of your Lordship's instructions, to take steps to ascertain whether any communication on the subject had been received from their Governments by those of my colleagues who represented the Powers signatory to the Convention. Having ascertained that none of them had received any instruction, I have to-day addressed a verbal communication to the French Minister for Foreign Affairs, requesting to be informed of the objections which his Government takes to the Convention in question; pointing out, at the same time, as indicated by your Lordship, that if France persists in withholding her assent to the Convention, but is willing to undertake to search her own vessels, there were only two alternative courses, namely, either to convoke the Conference again, with a view to modifying the Convention, or else to let the Convention fall.

The Minister's Private Secretary, to whom this communication was addressed, promised to bring the matter at once before his Excellency, and I understand that the French Government will probably address a communication to Her Majesty's Government, with a view to explain the reasons which have obliged them to abandon all hope of obtaining the sanction of the Chamber of Deputies to the Convention as it now stands.

I have, &c.

(For the Ambassador),

(Signed) EDWIN H. EGERTON.

No. 13.

The Earl of Lytton to the Marquis of Salisbury.—(Received July 16.)

My Lord,

Paris, July 15, 1891.

M. RIBOT, when I saw him this afternoon, referred to the inquiry made by me, as reported in my despatch of the 7th instant, for some explanation of the unexpected announcement lately made by him in the Chamber of Deputies as to the intention of the French Government not to ask Parliament to ratify the North Sea Liquor Convention.

His Excellency said that nearly twelve months ago the Committee to which, in accordance with Parliamentary usage here, that Convention was referred, had unanimously reported against it; but that, in view of the forthcoming debate on the Act of the Brussels Conference, he had requested the Reporter of the Committee, M. Sébille, to postpone the presentation of its Report in order that the discussion of the Brussels Act might not be complicated or its ratification imperilled by the impression to which the tenour of that Report was likely to make upon the House in reference to the right of search—a right which assumed in the North Sea Liquor Convention a form much more obnoxious to French susceptibilities than the very limited approach to it accepted by the French Plenipotentiaries at Brussels.

Notwithstanding this precaution, however, the discussion of the Brussels Act had unexpectedly turned almost entirely on the right of search, and the tone of that discussion rendered absolutely hopeless any attempt to obtain the ratification of the North Sea Liquor Convention, in the teeth of an exceedingly hostile Report by a unanimous Committee.

In these circumstances, his Excellency deemed it prudent to make the announcement above referred to. Any other course would have necessitated the presentation of the Committee's Report, and that would have raised a second and still more vehement debate upon the right of search, with every probability of utterances and incidents which, as Minister for Foreign Affairs, he was anxious to avert.

I have, &c.

(Signed) LYTTON.

Baron Gevers to the Marquis of Salisbury.—(Received October 3.)

M. le Marquis,

Londres, le 3 Octobre, 1891.

VOTRE Seigneurie n'ignore point que le Gouvernement Français a retiré, en conséquence d'un rapport de la Chambre protestant contre les droits de visite et de recherche, le Projet de Loi portant approbation de la Convention du 16 Novembre, 1887, pour remédier au trafic des spiritueux dans la Mer du Nord.

Le Gouvernement Néerlandais néanmoins s'est abstenu jusqu'à présent de faire observer à M. Ribot que les motifs qui ont amené son Excellence à prendre cette décision, sont en désaccord apparent avec le contenu des Rapports (Session 1889, Nos. 3820 et 3821) de la Commission de la Chambre des Députés, qui a examiné le dit Projet de Loi, et desquels il appert qu'il n'est point question du droit de visite et de recherche dans cette Convention.

N'ayant pas appris que le Gouvernement Britannique ait déjà attiré l'attention de M. Ribot sur ce fait, mon Gouvernement m'a chargé de demander à votre Seigneurie, si elle n'aurait point d'objection à faire faire, par l'Ambassadeur Britannique à Paris, une démarche dans ce sens auprès du Gouvernement de la République, en exprimant l'espoir qu'il ne se soustraira pas à la ratification de cette Convention si essentielle pour le bien-être moral et commercial des pêcheurs.

La Légation des Pays-Bas à Paris ferait alors simultanément une démarche semblable.

J'ai l'honneur, M. le Marquis, de joindre sous ce pli un Mémoire où je me suis efforcé de résumer les différents arguments qui tendent à démontrer la conception erronée du Gouvernement Français et qui pourrait, le cas échéant, servir comme guide pour les instructions à donner aux Représentants de la Grande-Bretagne et des Pays-Bas à Paris.

J'espère, M. le Marquis, que votre Seigneurie voudra bien prendre en considération cette proposition de mon Gouvernement, et m'informera en son temps de la décision qu'elle aura cru devoir prendre.

Veuillez, &c.
(Signé) GEVERS.

(Translation.)

My Lord,

London, October 3, 1891.

YOUR Lordship is aware that the French Government, in consequence of a Report of the Chamber protesting against the right of visit and search, have withdrawn a Bill for remedying the abuses produced by the liquor traffic in the North Sea.

The Netherlands Government have, however, hitherto refrained from pointing out to M. Ribot that the motives which induced his Excellency to come to this decision are obviously not in agreement with the contents of the Reports of the Commission of the Chamber of Deputies (Session of 1889, Nos. 3820 and 3281) who examined the said Bill, which show that there is no question of a right of visit and search in this Convention.

Not having heard that the British Government have already called the attention of M. Ribot to this fact, my Government have instructed me to ask your Lordship if you would have any objection to instructing Her Britannic Majesty's Ambassador at Paris to take steps in this sense with the French Government, expressing the hope that the latter will not refuse to ratify a Convention so essential to the moral and commercial welfare of the fishermen.

The Netherlands Legation would then simultaneously make a similar representation.

I have the honour, my Lord, to inclose herewith a Memorandum in which I have attempted to summarize the different arguments which tend to show the erroneous impression of the French Government, and which might in case of need serve as a guide for the instructions to be issued to the Representatives of Great Britain and the Netherlands at Paris.

I hope that your Lordship will be good enough to take into your consideration this proposal of my Government, and inform me in due course of the decision you have come to.

Accept, &c.
(Signed) GEVERS.

Inclosure in No. 14.

Memorandum.

POUR se rendre compte de la portée que pourrait bien avoir la Convention signée à La Haye le 16 Novembre, 1887, pour remédier au trafic des spiritueux dans la Mer du Nord, il paraît essentiel de se convaincre que sa mise à exécution n'entraînerait nullement comme conséquence de donner aux Commandants des croiseurs chargés de la surveillance des pêcheurs les droits de visite et de recherche.

Les procès-verbaux de la Conférence (voir pp. 20, 21, 33, 43, 44, 46, 47, 54, et 55) la "Correspondence respecting Liquor Traffic in the North Sea" (p. 3), et les Rapports de la Commission Spéciale de la Chambre des Députés (Session 1889, Nos. 3820 et 3821) démontrent ceci suffisamment.

Dans ces derniers Rapports, qui sont fondés sur les procès-verbaux de la Conférence, on a tenu à constater d'une façon positive que l'Article VII de la Convention du 16 Novembre, 1887, n'implique nullement le droit de visite et de recherche, et que même lorsqu'il s'agit de relever les preuves d'une contravention, il est interdit aux Commandants des croiseurs de faire visite ou recherche.

Le fait qu'il n'est point question de ce droit dans la dite Convention est ce qui la distingue nettement de la Convention du 6 Mai, 1882, réglant la surveillance de police parmi les pêcheurs dans la Mer du Nord, car dans celle-ci les Commandants possèdent ce droit quand il s'agit de dresser procès-verbal.

C'est précisément dans le but d'éviter de donner les droits de visite et de recherche aux Commandants, et pour néanmoins assurer l'efficacité des stipulations destinées à remédier aux abus qu'engendre le trafic des spiritueux, que l'on a cru devoir introduire dans la Convention le système du "permis" qui, faisant partie des papiers de bord, devra être montré sur demande.

Enfin, pour qu'il ne puisse plus y avoir aucun doute quant à la portée que pourrait avoir la vérification des papiers de bord, la Conférence a réglé l'intervention des croiseurs suivant l'Article X de la Convention de Paris du 14 Mars, 1884, pour la protection des câbles sous-marins, qui n'admet pas le droit de visite et de recherche (voir seconde séance, 16-26 Octobre, 1883, pp. 55-61 et 80-82).

(Translation.)

IN order to realize the meaning of the Convention signed at the Hague on the 16th November, 1887, for the regulation of the liquor traffic in the North Sea, it seems essential to convince oneself that its execution would by no means entail the consequence of giving the right of visit and search to commanding officers of cruisers charged with the duty of superintending the fishermen.

The *procès-verbaux* of the Conference (see pp. 20, 21, 33, 43, 44, 46, 47, 54, and 55), the "Correspondence respecting Liquor Traffic in the North Sea," and the Reports of the Special Commission of the Chamber of Deputies (Session 1889, Nos. 3820 and 3821), prove this sufficiently.

In these Reports, which are based on the *procès-verbaux* of the Conference, it is positively stated that Article VII of the Convention of the 16th November, 1887, does not imply the right of visit and search, and that even when it is required to collect evidence of an infraction of the Treaty, Commanders of cruisers are forbidden to carry out any such visit or search.*

The fact that there is no question of such a right in the said Convention is what distinguishes it clearly from the Convention of the 6th May, 1882, for the regulation of the North Sea Fisheries, for by the latter Convention the commanding officers have that right when it is a question of drawing up a charge.

It was with the object to avoid giving the right of visit and search to commanding officers, and yet to insure the efficacy of the stipulations destined to put an end to abuses produced by the liquor traffic, that it was thought advisable to introduce into the Convention the system of "permit," which will have to form part of the papers on board, and be exhibited when required.

* On p. 4 of this Report it is stated: "On account of the observations of the Delegates of Germany and of the French Delegate, the right of visit and search has been given up and replaced by less severe provisions, which are of a nature to safeguard all rights and all susceptibilities." Consequently, Article VII directs the cruisers of the High Contracting Parties to carry on the superintendence and to discover infractions. For this purpose the officers commanding these cruisers may insist on the captain or master of the suspected vessel producing official documents establishing the nationality of his vessel, and, if necessary, the "permit."

Finally, in order that there may be no doubt as to the meaning to be attached to the examination of ship's papers, the Conference regulated the intervention of cruisers on the lines of Article X of the Convention of Paris of the 14th March, 1884, for the protection of submarine cables, which does not admit the right of visit and search (see second sitting, the 16th to 26th October, pp. 55-61 and 80-82).

No. 15.

The Marquis of Salisbury to Baron Gevers.

M. le Chargé d'Affaires,

Foreign Office, October 10, 1891.

I HAVE the honour to acknowledge the receipt of your note of the 3rd instant, stating that, in the opinion of the Netherlands Government, the question of the right of search does not really arise in connection with the North Sea Liquor Traffic Convention of the 16th November, 1887.

In reply, I have the honour to inform you that there appears to be considerable force in the representation which you have made to me, and I shall accordingly have pleasure in requesting Mr. Egerton, Her Majesty's Minister in Paris, to confer with the Netherlands Minister with the view that a communication may be made by them to the French Government in the sense now asked by the Government of the Netherlands.

I have, &c.
(Signed) SALISBURY.

No. 16.

The Marquis of Salisbury to Mr. Egerton.

Sir,

Foreign Office, October 10, 1891.

WITH reference to the Earl of Lytton's despatch of the 15th July, I transmit to you herewith copies of correspondence with the Netherlands Chargé d'Affaires in London relative to a representation which the Government of the Netherlands wish to be made to the French Government relative to the North Sea Liquor Traffic Convention of the 16th November, 1887.*

I have to request that you will consult with the Netherlands Minister in Paris on the subject, and make, in concert with him, the representation which is now asked for by the Netherlands Government.

I am, &c.
(Signed) SALISBURY.

No. 17.

The Marquis of Salisbury to Sir H. Rumbold.

Sir,

Foreign Office, October 17, 1891.

I TRANSMIT herewith, for your information, copies of the correspondence, noted in the margin,† relative to the Convention of the 16th November, 1887, in regard to the liquor traffic in the North Sea.

I am, &c.
(Signed) SALISBURY.

* Nos. 14 and 15.

† Nos. 14, 15, and 16.

No. 18.

Sir H. Rumbold to the Marquis of Salisbury.—(Received October 23.)

My Lord,

The Hague, October 22, 1891.

I HAD some conversation with M. van Tienhoven yesterday on the subject of the communication which it is proposed to make to the French Government in the question of the North Sea Liquor Traffic Convention, as explained in the correspondence which accompanied your Lordship's despatch of the 17th instant.

His Excellency said that he was very glad to receive from me a confirmation that the arguments by which the Dutch Foreign Office showed that the Convention in question contained no prescriptions as to the right of search ("droit de visite et de recherche") had commended themselves to your Lordship, and that you had instructed Her Majesty's Minister in Paris to confer with the Dutch Envoy with a view to addressing a communication based on those arguments to the French Government.

At the same time, M. van Tienhoven seemed to be of opinion that the French Government might still be reluctant to take up this question again, it having become unfortunately mixed up with the Congo Convention, which was the object of much hostility on the part of the French Legislature.

I said that it appeared to me impossible to establish any connexity between the two questions. The withdrawal by the French Government of the Liquor Traffic Convention had occurred at a time when the Legislature and the country were under the influence of some irritation caused by the supposed isolation of France. Since then, a complete change had come over the scene. It might, I thought, be hoped that they would therefore show less sensitiveness of certain questions, and would give up the unreasonable opposition they had offered to them.

I have, &c.

(Signed) HORACE RUMBOLD.

No. 19.

The Earl of Lytton to the Marquis of Salisbury.—(Received October 30.)

My Lord,

Paris, October 28, 1891.

IN accordance with the instructions contained in your Lordship's despatch of the 10th to Mr. Egerton, he put himself into communication with the Netherlands Legation here, and I have now the honour to inclose herewith a copy of the representation on the subject of the North Sea Liquor Traffic Convention which Mr. Egerton, at my directions, put into M. Ribot's hands to-day.

The Netherlands Chargé d'Affaires has also to-day made a representation in the same sense, expressing the hope that the French Minister may reconsider the objections which he appears to have entertained in June last against the ratification of this Convention.

I have, &c.

(For the Ambassador),
(Signed) EDWIN H. EGERTON.

Inclosure in No. 19.

Memorandum.

IT was with considerable disappointment that Her Majesty's Government learnt in the month of June last that the Minister for Foreign Affairs of the French Republic had made the announcement in the Chamber of Deputies that he would not ask for the ratification by the latter of the Convention concluded at the Hague on the 26th November, 1887, for controlling the North Sea liquor traffic.

His Excellency based his objection to the Convention, which he stated was shared

by the Commission of the Chamber, on the ground that it would give the right of "enquête de pavillon et de visite."

On this point there appears to be some misapprehension.

There is no mention of the right of "visite," or of search in this Convention.

The "procès-verbaux" of the deliberations of the Conference of June 1886 clearly show that from the first the introduction of the question of the right of "visite" had been declared inadmissible.

Article X of the Convention of Paris of the 14th March, 1884, for the protection of submarine cables, was taken as the basis of the powers to be conferred on the naval commanders of the Powers concerned; the French Delegate specially pointing out that if that Article allowed the commanders of vessels of war to verify the nationality of vessels suspected of violating the Convention, the Conference had not bestowed on them an objectionable right of visit or search.

It was precisely in order to avoid giving the naval commanders this right that the system of "permis" was introduced into the Convention, which "permis," forming part of the papers on board, had to be exhibited when required.

The published Report of the Commission of the Chamber in 1889 makes this perfectly clear.

It points out the difference in respect to the right of "visite" between the Convention of 1882, for the police of fisheries in the North Sea (which has, moreover, given rise to no incident objectionable to France), and the Convention of 1887, from which this right has been excluded.

On p. 4 of this Report it is stated: "Sur les observations des Délégués de l'Allemagne et du Délégué Français, le droit de visite et de recherche a été abandonné et remplacé par des dispositions moins sévères et de nature à sauvegarder tous les droits et toutes les susceptibilités. En conséquence l'Article VII charge les bâtiments croiseurs des Hautes Parties Contractantes d'exercer la surveillance et de constater les contraventions; à cet effet les officiers commandant ces croiseurs peuvent exiger du capitaine ou du patron du bâtiment suspect l'exhibition des pièces officielles justifiant de la nationalité de son bâtiment et au besoin du permis."

The "Rapporteur" of the Commission points out that the result of the refusal of France to join the other Powers in their moral and sanitary effort will be "to foster under the respected flag of France an immoral, shameful, and disgusting traffic."

Her Majesty's Government express the earnest hope that, in view of the above explanations, his Excellency the Minister for Foreign Affairs may think fit to reconsider the objections which he appears to have entertained against the ratification of a Convention, of which the object is so essentially useful and humanitarian.

Paris, October 28, 1891.

No. 20.

The Earl of Lytton to Foreign Office.—(Received October 30.)

LORD LYTTON presents his compliments to the Under-Secretary of State for Foreign Affairs, and, with reference to his despatch of the 28th October, on the subject of the North Sea Liquor Traffic Convention, begs to inclose herewith a copy of the Report of the 1888 Commission of the Chamber thereon; the Report of the subsequent Commission has not been published. The Report of the 1888 Commission is alluded to in the Memorandum left with M. Ribot on the subject yesterday.

Paris, October 29, 1891.

Inclosure 1 in No. 20.

No. 3231.—CHAMBRE DES DÉPUTÉS.

Quatrième Législature.—Session Extraordinaire de 1888.

Annexe au Procès-verbal de la Séance du 26 Novembre, 1888.

Projet de Loi portant approbation de la Convention signée à La Haye, le 16 Novembre, 1887, pour remédier au Trafic des Spiritueux dans la Mer du Nord, en dehors des Eaux Territoriales, présenté au nom de M. Carnot, Président de la République Française, par M. René Goblet, Ministre des Affaires Étrangères, et par M. le Vice-Amiral Krantz, Ministre de la Marine et des Colonies.

Exposé des Motifs.

Messieurs,

NOUS avons l'honneur de soumettre à votre approbation la Convention qui a été conclue à La Haye, le 16 Novembre, 1887, entre les Représentants de la République Française, de l'Allemagne, de la Belgique, du Danemark, de la Grande-Bretagne et des Pays-Bas, pour remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord en dehors des eaux territoriales.

Depuis longtemps les conflits se produisant dans cette mer entre les pêcheurs des diverses nationalités, par suite du commerce des boissons spiritueuses, avaient réclamé l'action vigilante des Gouvernements riverains. Au commencement de l'année 1880, le Gouvernement de la Grande-Bretagne ayant prescrit une enquête pour rechercher les actes illégaux commis en haute mer par les pêcheurs des divers États, fut amené à se préoccuper de la question des "cabarets flottants." Les Commissaires chargés de cette mission, après avoir recueilli de nombreux témoignages au sujet de leur trafic qu'ils qualifient d'infâme, n'hésitaient pas à réclamer la mise en vigueur de règles de police les plus sévères contre ces bateaux dont la présence était un danger continu pour les équipages. Ils concluaient en déclarant que les cabarets flottants étaient des établissements où sévissaient des maux terribles : le vol, les abus de confiance, les menaces, les violences, les voies de fait, le brigandage, l'obscénité, la fraude. Ils ajoutaient que dans plusieurs circonstances des morts violentes avaient été la conséquence de tous ces méfaits. Aussi lorsqu'en 1881, les Plénipotentiaires des Puissances qui ont signé la présente Convention se réunirent une première fois à La Haye, pour élaborer un Règlement qui assurât la police de la pêche dans la Mer du Nord en dehors des eaux territoriales, le Gouvernement Britannique, se référant aux conclusions de l'enquête que nous venons de rappeler, s'empressa-t-il de réclamer une entente internationale en vue de mettre un terme à un état de choses aussi regrettable.

Mais plusieurs des Délégués des États représentés se déclarèrent sans mandat à cet égard ; de plus, la divergence des lois et des dispositions fiscales existant dans les différents pays sembla telle que toute discussion sur ce point eût été stérile. Aussi la Conférence ne put qu'émettre dans le Protocole signé le 29 Octobre, 1881, le vœu que les Gouvernements s'efforçassent de préparer les bases d'un arrangement destiné à prévenir le retour des abus signalés, et à prohiber le troc des filets, des instruments de pêche et du poisson.

Au mois d'Octobre 1884, un incident survenu dans la Mer du Nord appela de nouveau l'attention sur les inconvénients que présentait le trafic des spiritueux, et décida le Cabinet de La Haye à faire un nouvel appel aux Puissances pour trancher par un accord une question qui menaçait de s'éterniser.

Deux cabarets flottants, de nationalité Allemande, le "Dietrich" et "l'Anna," avaient été le théâtre de scènes de violence.

Le "Dietrich," notamment, après avoir été pris, pour ainsi dire, d'assaut par des pêcheurs Anglais, avait été mis au pillage.

Les Gouvernements intéressés ne pouvaient tarder plus longtemps à donner leur adhésion à la réunion de la Conférence qui tint sa première séance à La Haye le 10 Juin, 1886, et arrêta, le 25 du même mois, les termes d'un projet de Convention destiné à être soumis à l'approbation des Gouvernements représentés.

Ce projet ayant obtenu l'agrément des Puissances intéressées, la Convention Diplomatique, dont vous êtes actuellement saisis, a été signée à La Haye, le 16 Novembre, 1887, par les Plénipotentiaires des différents États.

Afin de résumer d'une manière aussi précise que possible l'ensemble des matières traitées dans cette Convention nous avons, Messieurs, signalé dans les paragraphes

suiuants les points qui nous paraissent deoir appeler plus particulièrement votre attention.

Application de la Convention et Limites de la Mer du Nord.—Après auoir indiqué l'objet de la Convention et les pêcheurs auxquels elle est applicable, les négociateurs ont pensé qu'il n'y auait pas lieu de donner à la mer commune d'autres limites que celles indiquées à l'Article IV de la Convention de La Haye du 6 Mai, 1882, sur la police de la pêche.

Interdiction de la Vente des Boissons Spiritueuses.—*Définition de la Boisson Spiritueuse.*—*Entrave apportée au Débit de certains Objets embarqués.*—L'Article II de la Convention contient l'interdiction formelle de vendre des boissons spiritueuses aux personnes qui se trouvent à bord d'un bateau de pêche ou qui appartiennent à ce bateau; il défend, par cela même, à ces personnes d'en acheter. Il a semblé que pour mettre un terme aux abus du trafic des spiritueux, il fallait non seulement en prohiber la vente, mais aussi l'échange contre des objets d'armement, des engins de pêche, ou des produits de la pêche. En rédigeant cette clause, les négociateurs ont voulu atteindre un double but: moraliser l'équipage et sauvegarder les droits de l'armateur.

Cependant, il a paru nécessaire d'envisager le cas où, des bateaux de pêche s'éloignant des côtes pour se livrer à leurs opérations pendant plusieurs semaines sur les mêmes fonds sans regagner le port, peuvent auoir besoin de réparer ou de compléter leur matériel de pêche ou d'armement et de se ravitailler. Aussi certains bateaux auront-ils la faculté, moyennant un permis spécial qui leur sera concédé par l'État auquel ils appartiennent, de se rendre sur les lieux de pêche pour faire le débit d'approvisionnement et d'autres objets servant à l'usage des pêcheurs, à l'exception des boissons spiritueuses; et ils ne devront pas embarquer une quantité de spiritueux supérieure à celle jugée nécessaire pour les besoins de l'équipage.

L'Article II définit la boisson spiritueuse, tout liquide provenant de la distillation et contenant plus de 5 litres d'alcool par hectolitre.

Croiseurs.—*Surveillance qui leur incombe.*—*Procès-verbaux à dresser.*—L'Article VII établit que la surveillance pourra être exercée par des bâtiments de la marine militaire de chacun des États Contractants. Les Commandants de ces bâtiments auront compétence pour constater toutes les infractions à la Convention, sans tenir compte de la nationalité des pêcheurs ayant commis les dites infractions. Le Commandant du croiseur aura le droit de dresser procès-verbal de la constatation des faits dans la limite de sa compétence et, si le cas lui paraît assez grave, il pourra conduire le bateau incriminé dans un port de la nation du pêcheur. Ces règles, d'ailleurs, sont les mêmes que celles prévues aux Articles XXX et XXXI de la Convention sur les Pêcheries signée à La Haye le 6 Mai, 1882.

Durée de la Convention.—Aux termes de l'Article XI, la Convention doit rester en vigueur pendant une période de cinq années, afin de permettre aux Puissances d'apprécier les résultats qu'elle aura produits. Elle demeurera obligatoire au delà de cette période, d'année en année, à moins de dénonciation.

Telles sont, Messieurs, dans leur ensemble, les stipulations de la Convention du 16 Novembre, 1887: adoptées après un examen contradictoire des parties intéressées, elles sont destinées, nous en auons la confiance, à empêcher toute cause de trouble parmi les pêcheurs dans la Mer du Nord et à moraliser les équipages, livrés jusqu'à ce jour à de dangereuses tentations.

Il nous reste, Messieurs, à vous signaler la disposition renfermée dans l'Article IV de la Convention et d'après laquelle les Hautes Parties Contractantes s'engagent à proposer à leurs Législatures respectives les mesures nécessaires à l'exécution de la présente Convention.

En acceptant cette disposition, le Gouvernement de la République a pris l'engagement de provoquer la mise en discussion devant le Parlement d'une loi pénale contenant la répression des infractions à cet acte international.

Un Projet de Loi spécial, préparé, à cet effet, dans une Commission où les Départements de la Justice, des Affaires Étrangères, et de la Marine étaient représentés, est déposé sur le Bureau de la Chambre, en même temps que le présent Projet de Loi:—

Projet de Loi.

Le Président de la République Française

Décète :

Le Projet de Loi dont la teneur suit sera présenté à la Chambre des Députés par le Ministre des Affaires Étrangères et par le Ministre de la Marine et des Colonies, qui sont chargés d'en exposer les motifs et d'en soutenir la discussion.

Article 1^{er}. Le Président de la République est autorisé à ratifier, et s'il y a lieu, à faire exécuter la Convention conclue à La Haye, le 16 Novembre, 1887, pour remédier au trafic des spiritueux dans la Mer du Nord, en dehors des eaux territoriales.

Une copie authentique de cette Convention est annexée à la présente Loi.

Fait à Paris, le 18 Novembre, 1888.

Le Président de la République Française,
(Signé) CARNOT.

Par le Président de la République :

Le Ministre des Affaires Étrangères,
(Signé) RENÉ GOBLET.

Le Ministre de la Marine et des Colonies,
(Signé) Vice-Amiral KRANTZ.

(Translation.)

No. 3231.—*Chamber of Deputies.*

Fourth Legislature.—Extraordinary Session of 1888.

Annex to the "Procès-verbal" of the Sitting of November 26, 1888.

Bill approving the Convention signed at the Hague on November 16, 1887, for regulating the Liquor Traffic in the North Sea, outside the Territorial Waters, presented in the name of M. Carnot, President of the French Republic, by M. René Goblet, Minister for Foreign Affairs, and by Vice-Admiral Krantz, Minister of Marine and Colonies.

Preamble.

Gentlemen,

WE have the honour to submit for your approval the Convention which was concluded at the Hague on the 16th November, 1887, between the Representatives of the French Republic, of Germany, of Belgium, of Denmark, of Great Britain, and of the Netherlands to put an end to the abuses produced by the liquor traffic among the fishermen of the North Sea outside the territorial waters.

For a long time the conflicts produced in this sea by the traffic in spirituous liquors between fishermen of various nationalities, had claimed the vigilant attention of the Governments whose shores are situated upon it. At the beginning of the year 1880, the Government of Great Britain having ordered an inquiry to discover the illegal acts committed in the high seas by fishermen of various nationalities, were induced to consider the question of "floating grog-shops." The Commissioners charged with this mission, after having collected much evidence on the subject of their traffic, which they stigmatized as infamous, did not hesitate to urge the adoption of the most severe Police Regulations against these boats, the presence of which formed a continual danger to the crews. They concluded by declaring that the floating grog-shops were establishments where the most terrible evils were prevalent, theft, abuse of confidence, threats, violence, fighting, brigandage, obscenity, and fraud. They added that on several occasions violent deaths had been the result of all these misdeeds. When, therefore, the Plenipotentiaries of the Powers who signed the present Convention met for the first time, in 1881, to settle on Regulations to regulate the police of the fisheries in the North Sea outside territorial waters, the British Government, referring to the conclusions come to by the inquiry which we have described, hastened to urge the conclusion of an International Agreement with a view to putting an end to so deplorable a state of affairs.

But several of the Delegates of the States represented declared that they were without instructions on this point; moreover, the divergence between the laws and fiscal dispositions existing in the different countries seemed so great that any discussion would have been fruitless. For these reasons the Conference could only state, in the Protocol signed on the 29th October, 1881, their wish that the Governments should attempt to prepare the bases of an arrangement destined to prevent the recurrence of the abuses pointed out, and to prohibit the barter of nets, fishing-gear, and fish.

In the month of October 1884 an incident which occurred in the North Sea called fresh attention to the drawbacks presented by the liquor traffic, and made the Cabinet of the Hague decide to address a fresh appeal to the Powers to settle by agreement a question which seemed in some danger of being delayed indefinitely.

Two grog-shops, of German nationality, the "Dietrich" and the "Anna," had been the scenes of acts of violence. The "Dietrich," in particular, had been, so to speak, taken by assault by English fishermen, and pillaged.

The Governments interested could no longer delay giving their assent to the meeting of the Conference, which held its first meeting at the Hague on the 10th June, 1886, and settled, on the 25th of the same month, on the terms of a draft Convention destined to be submitted for approval to the Governments represented.

This draft having obtained the assent of the Powers interested, the Diplomatic Convention, which is now laid before you, was signed at the Hague on the 16th November, 1887, by the Plenipotentiaries of the different States.

In order to summarize in as precise a manner as possible the matter treated by this Convention, we have indicated, Gentlemen, in the following paragraphs the points to which we think we ought specially to call your attention.

Application of the Convention and Limits of the North Sea.—After indicating the object of the Convention and the fishermen to which it applies, the negotiators thought that there was no necessity of giving to the common sea any other limits than those indicated by Article IV of the Convention of the Hague of the 6th May, 1882, on the police of the fisheries.

Prohibition of the Sale of Spirituous Liquors.—*Definition of Spirituous Liquor.*—*Restriction against Traffic in certain Objects on Board.*—Article II of the Convention contains a formal prohibition to sell spirituous liquor to persons who are on board a fishing-boat or who belong to a fishing-boat; it also forbids these persons to buy any such liquor. It seemed advisable, in order to put an end to the liquor traffic, to forbid not only sale, but also barter in exchange for the gear or equipments of fishing-boats, or the products of the fisheries. In drawing up this clause the negotiators wished to arrive at a two-fold object: to protect the morals of the crews, and to guard the property of the ship-owners.

It has, however, been considered necessary to provide for the event of fishing-boats leaving the coasts for several weeks without going back to port in order to engage in operations on one particular bank, and, consequently, requiring to repair or complete their fishing-gear or equipment and to get another supply of provisions. Certain boats will, therefore, be allowed, on producing a special "permit," which will be granted to them by the State to which they belong, to repair to the fishing-grounds in order to deal in provisions and all other articles for the use of fishermen, with the exception of spirituous liquors; and they will not be allowed to take on board a larger quantity of spirits than that considered necessary for the consumption of their own crew.

Article II defines as spirituous liquor any liquid obtained by distillation and containing more than 5 litres of alcohol per hectolitre.

Cruisers.—*Superintendence they will have to exercise.*—*Reports to be drawn up.*—Article VII lays down that the superintendence may be exercised by vessels belonging to the navy of each of the Contracting States. The Commanders of such vessels will be entitled to find out all infractions of the Convention without consideration of the nationality of the fishermen committing the said infractions. The Commander of the cruiser will have the right of drawing up a *procès-verbal* of the facts discovered, within the limits which he is competent to do so; and if the case seems to him sufficiently serious, he will be able to conduct the incriminated vessel into a port belonging to the nation of the fisherman. These rules are the same as those contained in Articles XXX and XXXI of the Fisheries Convention, signed at the Hague on the 6th May, 1882.

Duration of the Convention.—By the terms of Article XI the Convention should remain in force during a period of five years, so as to allow the Powers to appreciate the results which it has produced. It will be obligatory from year to year beyond that period, unless denounced.

Such are, Gentlemen, the provisions of the Convention of the 16th November, 1887, as a whole: having been adopted after full consideration, we are confident that they are destined to prevent all cause of trouble among the fishermen of the North Sea, and to raise the morality of the crews, who have hitherto been exposed to the most dangerous temptations.

There remains for us to point out to you, Gentlemen, the provisions contained in Article IV of the Convention, according to which the High Contracting Parties engage to propose to their respective Legislatures the measures necessary for the execution of the present Convention.

In accepting this provision, the Government of the Republic have taken the engagement to bring before the Parliament for discussion a penal law against infractions of this international act.

A special Bill, prepared to this effect by a Commission in which the Departments of Justice, Foreign Affairs, and Marine were represented, has been placed in the Office of the Chamber at the same time as the following Bill :—

Bill.

The President of the French Republic

Decrees :

That the Bill, the contents of which are stated below, shall be presented to the Chamber of Deputies by the Minister for Foreign Affairs and by the Minister of Marine and Colonies, who are charged with the duty of explaining and discussing it.

Article 1. The President of the Republic is authorized to ratify and, if necessary, to execute the Convention concluded at the Hague on the 16th November, 1887, to remedy the abuses in the liquor traffic in the North Sea outside territorial waters.

An authenticated copy of this Convention is annexed to the present Law.

Done at Paris, the 18th November, 1888.

The President of the French Republic,
(Signed) CARNOT.

For the President of the Republic :

The Minister for Foreign Affairs,
(Signed) RENÉ GOBLET.

The Minister of Marine and Colonies,
(Signed) Vice-Admiral KRANTZ.

Convention signed at the Hague, November 16, 1887.

[See *infra*, Inclosure 1 in No. 51.]

Inclosure 2 in No. 20.

No. 3820.—CHAMBRE DES DÉPUTÉS.

Quatrième Législature.—Session de 1889.

Annexe au Procès-verbal de la Séance du 21 Juin, 1889.

Rapport fait au nom de la Commission chargée d'examiner le Projet de Loi portant approbation de la Convention signée à La Haye, le 16 Novembre, 1887, pour remédier au Trafic des Spiritueux dans la Mer du Nord en dehors des Eaux Territoriales, par M. Chanson, Député.*

Messieurs,

LE Gouvernement soumet à votre approbation la Convention conclue à La Haye, le 16 Novembre, 1887, entre les Représentants de la République Française, de l'Allemagne, de la Belgique, du Danemark, de la Grande-Bretagne, et des Pays-Bas, pour remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord en dehors des eaux territoriales.

Les inconvénients résultant de ces abus sont déjà anciens.

A la suite d'une enquête prescrite par le Gouvernement de la Grande-Bretagne, les Commissaires chargés de cette mission déclarèrent que la présence "des cabarets flottants" sur les lieux de pêche constituait une cause permanente de désordre parmi les pêcheurs, que dans ces établissements pullulaient tous les maux les plus détestables : le vol, l'abus de confiance, les menaces, les violences, le brigandage, l'obscénité, la fraude ; l'ivresse poussé à ses extrêmes limites amenait ensuite comme conséquence forcée la rébellion et l'indiscipline

* Cette Commission est composée de MM. Trystram, Président ; Joseph Morel, Secrétaire ; Lepoutre, Baron des Routours, Dejardin-Verkinder, Chanson, Labussière, Jules Gros, Gusman, Serph, Bourgeois (Jura).

des équipages. Pour satisfaire leurs passions, les pêcheurs dépensaient non seulement les ressources destinées à leur entretien et à celles de leurs familles, mais encore troquaient des boissons spiritueuses horriblement chères et de mauvaise qualité contre le poisson et les engins de pêche appartenant à leur patron. Les Commissaires ajoutaient que des morts violentes avaient même été le résultat des scènes qui se passaient à bord de ces cabarets d'un nouveau genre.

Une entente internationale pouvait seule mettre un terme à ces abus. Lors de la Conférence tenue aussi à La Haye, en 1881, entre les mêmes Puissances, au sujet de la police de la pêche dans la Mer du Nord, Conférence qui aboutit à la Convention du 6 Mai, 1882, l'Angleterre fit connaître le résultat de son enquête et manifesta le désir qu'il fût mis un terme à un état de choses aussi regrettable.

Quelques vues furent échangées à cet égard; mais d'un côté, il se manifesta des divergences considérables sur les moyens et le mode de répression, et d'un autre côté, plusieurs Délégués se déclarèrent sans mandat pour traiter la question. La Conférence se sépara donc sans avoir avisé.

Le mal ne fit que croître et s'aggraver. Au mois d'Octobre 1884, le désordre et la violence se donnèrent libre carrière sur deux cabarets flottants, de nationalité Allemande, le "Dietrich" et "l'Anna." Le premier de ces bâtiments, pris d'assaut, pour ainsi dire, par des pêcheurs Anglais, avait été mis au pillage.

Cet incident décida le Gouvernement des Pays-Bas à faire un nouvel appel aux Puissances; une Conférence se réunit à La Haye dans le but de mettre un terme au trafic des spiritueuses dans la Mer du Nord, et les Délégués, après quelques séances closes le 25 Juin, 1885, rédigèrent la Convention soumise à votre approbation, Convention qui fut signée le 16 Novembre, 1887, par les Plénipotentiaires des différents États.

Résumons brièvement les clauses de cette Convention.

Son effet est limité dans la Mer du Nord, en dehors des eaux territoriales, dans les limites fixées par l'Article IV de la Convention de La Haye du 6 Mai, 1882, sur la police de la pêche, à toute personne se trouvant à bord d'un navire ou bâtiment des Puissances Signataires.

L'Article II interdit la vente des boissons spiritueuses aux personnes qui se trouvent à bord de ces bâtiments, et l'achat est par corrélation interdit à ces personnes. L'échange de ces boissons contre tout objet et notamment contre des produits de la pêche, des objets d'armement ou des engins de pêche, est également défendu.

Est considéré comme boisson spiritueuse tout liquide provenant de la distillation et contenant plus de 5 litres d'alcool par hectolitre.

Cet Article a pour but tant de protéger la sobriété et la moralité des pêcheurs que l'intérêt et la propriété des armateurs.

Cependant, comme des bâtiments s'éloignent des côtes pour un certain temps, il fallait prévoir le cas où ils auraient besoin de se ravitailler ou de se livrer à des réparations; l'Article III permet alors à certains bâtiments de fournir des approvisionnements aux pêcheurs, à l'exception des boissons spiritueuses, moyennant un permis accordé par l'État auquel appartient le navire, et sous certaines conditions déterminées.

Les Articles IV, V, et VI déterminent le mode de répression des délits. Chaque nation se réserve exclusivement le jugement de ses nationaux. La poursuite est exercée par l'État ou en son nom.

Un point plus délicat à régler, c'était celui de la constatation des délits. Les croiseurs chargés de la surveillance auraient-ils le droit de visite et de recherche sur le bâtiment suspect? Cette question présentait un intérêt assez considérable. Sur les observations des Délégués de l'Allemagne et du Délégué Français, le droit de visite et de recherche a été abandonné et remplacé par des dispositions moins sévères et de nature à sauvegarder tous les droits et toutes les susceptibilités. En conséquence, l'Article VII charge les bâtiments croiseurs des Hautes Parties Contractantes d'exercer la surveillance et de constater les contraventions; à cet effet, les officiers commandant ces croiseurs peuvent exiger du capitaine ou du patron du bâtiment suspect l'exhibition des pièces officielles justifiant de la nationalité de son bâtiment et au besoin du permis. En cas de contravention, ces mêmes officiers dressent des procès-verbaux qui servent de base aux poursuites. Si par exception le cas lui paraît assez grave pour justifier cette mesure, le Commandant du croiseur aurait le droit de conduire le bâtiment en contravention dans un port de la nation à laquelle appartient le bâtiment.

Réduit à ces proportions, le droit conféré au Commandant n'a paru à votre Commission présenter rien d'exorbitant.

La Convention est conclue pour cinq ans à partir du jour qui sera fixé par les Puissances Signataires; elle continuera ensuite à rester en vigueur, d'année en année, si aucune

des parties ne notifie douze mois avant l'expiration de la période son intention de la faire cesser.

Aux termes de l'Article IV, chaque Puissance doit fixer, suivant sa législation spéciale, le mode de poursuite et les peines applicables aux contraventions. Cette clause a nécessité la présentation concomitante d'un autre Projet de Loi qui fait l'objet d'un second Rapport.

Telles sont les principales dispositions de la Convention; les autres ne sauraient donner lieu à explications spéciales. Elles ont paru à votre Commission ne présenter rien d'excessif, aucun inconvénient. Les avantages en sont par contre fort appréciables, surtout au point de vue de nos bonnes relations internationales.

Un membre de la Commission a cependant fait observer qu'il ne pouvait approuver la Convention, parce qu'il la croyait inutile et la trouvait dangereuse.

Inutile : les documents nous font connaître en effet qu'aucun cabaret flottant n'est jamais sorti des ports de France et que nos pêcheurs n'ont jamais fait usage des boissons spiritueuses vendues par les débitants étrangers.

Dangereuse : quelle que soit la restriction des pouvoirs conférés aux Commandants des croiseurs, ils ont cependant le droit de conduire dans un cas grave le bâtiment soupçonné dans un port de la nation à laquelle appartient ce bâtiment, et, dans tous les cas, celui de verbaliser et d'être crus jusqu'à inscription de faux ; n'est-il pas à craindre que dans des circonstances données ces droits ne deviennent le prétexte de tracasseries avec certaine Puissance Signataire et ne donnent ainsi naissance à des difficultés de la plus haute gravité ? Il estime en tous cas que le délai de cinq ans est trop considérable.

L'inutilité et le danger ne sont pas apparus à votre Commission.

Il est bien vrai que jusqu'ici les inconvénients résultant de la présence des cabarets flottants dans la Mer du Nord ne se sont pas fait sentir d'une manière bien sensible parmi les pêcheurs Français. Cela tient surtout au peu de développement de notre industrie de la pêche maritime. Les pêcheurs montés sur des barques légères ne s'éloignent guère des côtes Françaises et ne s'absentent de leur port d'attache que pendant un ou deux jours. Il est dès lors explicable que les cabarets flottants ne viennent pas à la portée d'hommes dont le séjour en mer est si court et dont les appétits sensuels n'ont pas eu le temps de se développer.

Mais, d'après les explications qui ont été fournies à la Commission par M. le Ministre de la Marine, cet état de choses peut se modifier d'un jour à l'autre, et notre pêche prendre des développements fort désirables qui la feraient sortir de la routine où elle languit depuis longtemps.

Tout récemment des armateurs ont sollicité l'autorisation d'équiper certains bâtiments propres à se livrer soit à la pêche, soit à la récolte du poisson déjà pris dans la Mer du Nord, et nous pouvons espérer de voir se développer chez nous la pêche industrielle si rudimentaire jusqu'à ce jour ; l'utilité de la Convention ne serait pas alors contestable.

En second lieu, il faut considérer ce qui résulterait de notre défaut d'adhésion à la Convention ; elle n'en existerait pas moins entre les cinq autres Puissances Signataires décidées à interdire d'une manière absolue le trafic des spiritueux parmi les pêcheurs de leurs nations respectives. Qu'arriverait-il alors ? Gênés dans leur commerce interlope, les bâtiments-cabarets n'hésiteraient pas à se couvrir du pavillon Français sous le prétexte que la France n'aurait pas adhéré à la Convention et que par suite son pavillon serait à l'abri des poursuites des croiseurs. Avons-nous donc intérêt à mécontenter les Puissances voisines en ne leur prêtant pas notre appui moral et effectif pour cette œuvre d'assainissement ? Aurions-nous raison d'abriter sous notre pavillon respecté un commerce immoral, honteux, et dégoûtant ? Il est inutile d'insister.

Les craintes exprimées de voir la Convention servir de prétexte à des vexations injustes ou préméditées n'ont pas été non plus partagées par votre Commission.

Il ne manquerait pas, hélas ! d'autres causes de conflit, sans aller se rabattre sur celles vraies ou fausses que ferait naître l'application d'une Convention d'un intérêt assez secondaire. L'abus en pareil cas serait d'ailleurs si criant et si difficile qu'aucune appréhension ne doit se faire jour de ce côté.

Ajoutons que l'Allemagne, des ports de laquelle sort une partie des cabarets flottants, est une des Puissances qui a accepté la Convention avec répugnance et n'a fait que se plier aux exigences de bon voisinage ; on peut donc compter qu'elle l'exécutera sans enthousiasme.

La Convention du 6 Mai, 1882, relative à la police de la pêche dans la Mer du Nord a été signée entre les mêmes Puissances. Son objet était beaucoup plus important que celui de la Convention sur le trafic des spiritueux, sans présenter plus d'intérêt pour notre pays. Nous l'avons acceptée ; elle n'a cependant donné lieu à aucun incident en ce qui nous concerne. Il y a encore moins à redouter des stipulations actuelles, qui, tout

en protégeant la moralité et la sobriété des pêcheurs, seront des plus inoffensives à l'épreuve.

Votre Commission persiste donc à vous proposer l'adoption du Projet de Loi.

Projet de Loi.

Article 1^{er}. Le Président de la République est autorisé à ratifier, et, s'il y a lieu, à faire exécuter la Convention conclue à La Haye, le 16 Novembre, 1887, pour remédier au trafic des spiritueux dans la Mer du Nord, en dehors des eaux territoriales.

Une copie authentique de cette Convention est annexée à la présente Loi.

Nota.—Le texte de la Convention a été annexé au Projet de Loi No. 3231.

(Translation.)

No. 3820.—CHAMBER OF DEPUTIES.

Fourth Legislature.—Session of 1889.

Annex to the "Procès-verbal" of the sitting of June 21, 1889.

Report drawn up by M. Chanson, Deputy, in the name of the Commission charged with the duty of examining the Bill approving the Convention signed at the Hague November 16, 1887, to regulate the Liquor Traffic in the North Sea outside the Territorial Waters.

Gentlemen,

THE Government submits for your approval the Convention concluded at the Hague on the 16th November, 1887, between the Representatives of the French Republic, of Germany, of Belgium, of Denmark, of Great Britain, and of the Netherlands, to remedy the abuses produced by the liquor traffic among the fishermen of the North Sea outside territorial waters.

The evils produced by these abuses are already of long standing.

After an inquiry ordered by the Government of Great Britain, the Commissioners charged with the mission declared that the presence of "floating grog-shops" at the fishing-grounds constituted a permanent source of disorder among the fishermen, and that the most detestable evils ran riot in these establishments; theft, abuse of confidence, threats, violence, brigandage, obscenity, and fraud; drunkenness pushed to its most extreme limits produced as a necessary consequence outbreaks and indiscipline among the crews. To satisfy their passions, the fishermen spent not only the resources destined for the maintenance of themselves and their families, but bartered away for dear and bad liquor the fish and fishing gear belonging to their masters. The Commissioners added that violent deaths had resulted from the scenes which took place on board this new kind of public-house.

An International Agreement was the only means of putting a stop to these abuses. At the time of the Conference held at the Hague, in 1881, between the same Powers, on the subject of the police of the fisheries in the North Sea, a Conference which led to the Convention of the 6th May, 1882, Great Britain announced the results of her inquiry, and expressed the wish that so regrettable a state of affairs should be abolished.

Some opinions were exchanged on the subject; but, on the one hand, considerable divergence of opinion was shown as to the means and method of repression, and, on the other hand, several Delegates declared that they were without instructions to treat the question. The Conference separated therefore without having settled anything.

The evil increased and became aggravated. In the month of October 1884 disorder and violence were freely let loose on two floating grog-shops of German nationality, the "Dietrich" and the "Anna." The first of these vessels had been, so to speak, taken by assault by English fishermen and pillaged.

This incident determined the Government of the Netherlands to make a fresh appeal to the Powers; a Conference met at the Hague to put an end to the liquor traffic in the North Sea, and the Delegates, after a few sittings ending the 25th June, 1885, drew up the Convention, which is now submitted for your approval, and which was signed on the 16th November, 1887, by the Plenipotentiaries of the different States.

We will now briefly summarize the clauses of this Convention.

Its operation in the North Sea outside territorial waters, as fixed by Article IV of the Convention of the Hague of the 6th May, 1882, on the police of the fisheries, is limited to those persons who are found on board a ship or vessel of the Signatory Powers.

Article II prohibits the sale of spirituous liquors to persons who are on board these boats, and also forbids such persons to buy any. The exchange of such liquors for any object, but especially for the fishermen's catch, for the equipments of the vessels or for fishing gear, is also forbidden.

Spirituous liquors are defined as any liquid obtained by distillation, and containing more than 5 litres of alcohol per hectolitre.

The object of this Article is to protect the sobriety and morality of the crews, and to guard the property and interests of the ship-owners.

As, however, boats leave the coasts for a certain length of time, it was necessary to provide for the event of their requiring to get a fresh supply of provisions, and to get repairs executed; Article III therefore allows certain vessels to furnish provisions to fishermen, with the exception of spirituous liquors, on producing a special "permis," which will be granted to them by the State to which the vessel belongs, and under certain specified conditions.

Articles IV, V, and VI determine the method of repressing crime. Each nation reserves the right of trying its own nationals. The prosecution is carried on by the State or in its name.

A more delicate point to settle was the method of discovering infractions of the Convention. Should the cruisers charged with the superintendence have the right of visit and search on a suspected vessel? This question was one of considerable interest. On the motion of the Delegates of Germany and of the French Delegates, the right of visit and search was given up and replaced by other provisions less severe, and of a nature to safeguard all rights and susceptibilities. Consequently, Article VII charges the cruisers of the Contracting Parties with the superintendence and discovery of offences; for this purpose the officers commanding such cruisers will be entitled to demand from the captain or master of the vessel the production of official documents proving his nationality, and, if necessary, of the "permis." In case of infractions of the Convention, these officers will draw up *procès-verbaux*, which will form the basis of the prosecutions. If some exceptional case appears to them sufficiently grave to justify that measure, the Commander of the cruiser may conduct the offending vessel into a port belonging to the nation of the fisherman.

Reduced to these dimensions, the right conferred on the Commanders did not appear to your Commission to be in any way exorbitant.

The Convention is concluded for five years from the day which will be fixed by the Signatory Powers; it will remain in force, from that time onwards, from year to year, unless one of the parties notifies twelve months before the expiration of the period an intention to let it lapse.

By the terms of Article V, each Power must fix, according to its special legislation, the method of prosecution and the penalties to be inflicted on offences. This clause necessitated the simultaneous presentation of another Bill forming the subject of a second Report.

Such are the principal provisions of the Convention; and the others do not appear to need special explanations. They did not appear to your Commission to contain anything excessive or inconvenient. The advantages, on the other hand, are very appreciable, especially from the point of view of keeping up good international relations.

One member of the Commission, however, has observed that he could not approve of the Convention, because he thought it useless and dangerous.

Useless: Because documents show that no floating grog-shop ever went out of French ports, and that our fishermen have never made use of the spirituous liquors sold by foreign traders.

Dangerous: Because, whatever the restrictions to the powers conferred on Commandants of cruisers, they still have the right, in serious cases, of conducting the suspected vessel to a port of the nation to which she belongs, and in all cases of drawing up written statements and of being believed until their statement is shown to be false; is it not, therefore, to be feared that, under certain circumstances, these rights might become the pretext of bickerings with a certain Signatory Power, and thus give rise to difficulties of the gravest character? He considers that in any case the period of five years is too long.

This uselessness and danger did not appear to your Commission to have been proved.

It is quite true that until now the evils caused by the presence of floating grog-shops in the North Sea have not been felt very acutely among French fishermen. This is caused by the small extent of our sea-fishing industry. The fishermen embark in small boats, and are not absent from their port of registry for more than one or two days. It

may easily be understood that the floating grog-shops do not come in the way of men who spend but a short time at sea, and whose sensual appetites have not had time to develop.

But from explanations which have been furnished by the Minister of Marine to the Commission, this state of affairs may be changed from day to day, and our fisheries may make a very desirable advance which would take them out of the routine in which they have languished for a long time.

Quite recently the ship-owners requested the authorization to equip certain vessels suitable for fishing or for collecting the fish already taken in the North Sea, and we may hope to see a development in our fishing industry, which has hitherto been so rudimentary; in such a case the utility of the Convention could not be contested.

In the second place, the results of our not adhering to the Convention must be considered. It would none the less exist among the five other Signatory Powers who have decided to forbid absolutely the liquor traffic among the fishermen of their respective nations. What would be the consequence? Being hampered in their contraband trade, the floating grog-shops would not hesitate to fly the French flag under the pretext that France had not adhered to the Convention, and that consequently her flag would be protected against the pursuit of cruisers. Is it our interest to displease the neighbouring Powers by not lending them our moral and effective support in this work of improvement? Should we be right in sheltering under our honoured flag an immoral, shameful, and disgusting trade? I need not use any further arguments.

The fears expressed that the Convention would serve as a pretext to unjust or premeditated vexation are also not shared by your Commission.

We have, alas! numerous other causes of conflict, without going back upon the true or false ones which might be produced by the execution of a Convention of a somewhat secondary importance. Besides which, any abuses in this case would be so crying and so difficult to commit that no apprehension need be felt on this score.

We may add that Germany, from whose ports come a part of the floating grog-shops, is one of the Powers who accepted the Convention with distaste, and has only given in to the exigencies of neighbourliness; we may, therefore, conclude that she will put the Convention into operation without enthusiasm.

The Convention of the 6th May, 1882, relative to the police of the fisheries in the North Sea, was signed by the same Powers. Its object was much more important than that of the Liquor Traffic Convention, without presenting greater features of interest for our country. We accepted it; but it has not given rise to any incident concerning us. There is still less reason to fear the present stipulations, which, while protecting the morality and sobriety of the fishermen, will prove to be absolutely inoffensive.

Your Commission, therefore, persist in proposing to you the adoption of the Bill.

Bill.

Article 1. The President of the Republic is authorized to ratify, and, if necessary, to carry into execution the Convention concluded at the Hague on the 16th November, 1887, to regulate the liquor traffic in the North Sea outside territorial waters.

An authenticated copy of the Convention is annexed to this Bill.

Note.—The text of the Convention has been attached to Bill No. 3231.

No. 21.

The Earl of Lytton to the Marquis of Salisbury.—(Received November 14.)

My Lord,

Paris, November 13, 1891.

WITH reference to my despatch of the 28th ultimo, I have the honour to inclose herewith the answer, dated the 11th instant, of the French Minister for Foreign Affairs to the representation which, in accordance with your Lordship's instructions, I addressed him on the 28th ultimo on the subject of the Convention for the repression of the abuses in the liquor traffic in the North Sea which was signed at the Hague in 1887.

M. Ribot says that the two Bills relative to this Convention have not been withdrawn by the French Government; they are still before the Committee of the Chamber of Deputies, but the Committee having unanimously pronounced against the ratification, the Government does not consider it opportune to insist on the Report of the Committee being presented to the Chambers for discussion.

M. Ribot regrets therefore that, for the present, he feels unable to accede to the wish expressed by Her Majesty's Government for the speedy ratification of the Convention.

I have, &c.
(For the Ambassador),
(Signed) EDWIN H. EGERTON.

Inclosure in No. 21.

M. Ribot to the Earl of Lytton.

DANS un *pro-memorié* en date du 28 du mois dernier, son Excellence M. l'Ambassadeur d'Angleterre à Paris a, au nom de son Gouvernement, expose diverses considérations en vue de la ratification de la Convention signée à La Haye le 16 Novembre, 1887, et concernant la répression des abus du trafic des spiritueux dans la Mer du Nord.

M. Ribot a l'honneur de faire connaître à son Excellence M. le Comte de Lytton que les deux Projets de Loi relatifs à cette Convention n'ont pas été retirés par le Gouvernement. Ils sont encore devant la Commission chargée à la Chambre des Députés de les examiner. Mais cette Commission Parlementaire s'est prononcée à l'unanimité pour le rejet, et, dans l'état actuel des choses, le Gouvernement Français ne croit pas qu'il soit opportun d'insister pour que le Rapport de la Commission soit déposé et mis en délibération devant le Parlement.

M. Ribot regrette, en conséquence, de ne pouvoir donner, quant à présent, satisfaction à l'intérêt qu'attache le Gouvernement Anglais à la prompte ratification par la France de l'Arrangement du 16 Novembre, 1887. Il serait très obligé à son Excellence le Comte de Lytton de vouloir bien en informer le Cabinet de Londres.

Paris, le 11 Novembre, 1891.

(Translation.)

IN a Memorandum dated the 28th ultimo his Excellency the British Ambassador in Paris explained, in the name of his Government, various considerations respecting the ratification of the Convention signed at the Hague on the 16th December, 1887, and the repression of abuses in the North Sea liquor traffic.

M. Ribot has the honour to inform his Excellency the Earl of Lytton that the two Bills relative to that Convention have not been withdrawn by the Government. They are still before the Commission of the Chamber of Deputies charged with their examination. But that Commission has pronounced unanimously for its rejection, and in the present state of things, the French Government do not think that it is advisable to urge that the Report of the Commission should be presented to Parliament and discussed.

M. Ribot regrets, consequently, that he cannot give at present any satisfaction to the desire of the British Government to obtain the prompt ratification by France of the Arrangement of the 16th November, 1887. He would be much obliged if his Excellency the Earl of Lytton would kindly inform the Cabinet of London.

Paris, November 11, 1891.

No. 22.

Sir H. Rumbold to the Marquis of Salisbury.—(Received March 21.)

My Lord,

The Hague, March 17, 1892.

M. VAN TIENHOVEN told me this morning that he thought he had devised a satisfactory plan of getting over the impediments opposed by France to the carrying out of the North Sea Liquor Traffic Convention.

His Excellency's idea is, that the French Government should be pressed ("mis en demeure") to state whether it was prepared or not to present that Convention for ratification to Parliament. In the event of an unfavourable reply to this categorical demand, the Dutch Government would invite all the other Powers Signatories of the Convention to make a fresh Agreement in all particulars identical with the Convention of 1887, and containing a stipulation leaving it open to France to declare at any time her concurrence in it. Whenever France ultimately signified such concurrence, the Convention entered into without her would be replaced by the original Convention

of 1887, which, as his Excellency expressed it, would in the meantime have remained in suspense ("dans l'air").

His Excellency informed me further that he had spoken of this idea of his to two eminent jurists, who had taken part in the drawing up of the original Convention, and that they had entirely approved of the solution imagined by him. I understood his Excellency to say that he was about to write to Count Bylandt, requesting him to submit this proposal to your Lordship.

I have, &c.
(Signed) HORACE RUMBOLD.

No. 23.

The Marquis of Salisbury to the Marquis of Dufferin.

My Lord,

Foreign Office, March 23, 1892.

WITH reference to the Earl of Lytton's despatch of the 13th November last, I transmit to your Excellency herewith a copy of a despatch from Sir H. Rumbold,* reporting the views of the Netherlands Minister for Foreign Affairs respecting the manner in which the objection of the French Government to the carrying into effect of the Convention relative to the liquor traffic in the North Sea should be overcome.

This communication on the subject from Count Bylandt, referred to by Sir Horace Rumbold, has not yet been received.

I am, &c.
(Signed) SALISBURY.

No. 24.

Baron Gevers to the Marquis of Salisbury.—(Received March 29.)

M. le Marquis,

Londres, le 28 Mars, 1892.

J'AI été chargé par le Ministre des Affaires Étrangères de soumettre à votre Seigneurie certaines considérations, que j'ai résumées dans le Mémoire ci-inclus, et qui ont été suggérées à M. van Tienhoven par l'attitude que le Gouvernement Français continue à observer à l'égard de la Convention du 16 Novembre, 1887, pour la répression des abus qu'engendre le trafic des spiritueux dans la Mer du Nord.

Le Gouvernement Néerlandais voit à regret les années s'écouler sans que la ratification de cette Convention ait l'air d'être plus proche, et il s'est efforcé de trouver un moyen pour mettre à exécution les stipulations de cette Convention, fût-ce sans la coopération de la France.

Néanmoins, avant de faire des démarches dans le sens indiqué, le Ministre des Affaires Étrangères désirerait connaître les vues du Gouvernement Britannique sur ce sujet, et j'ai par conséquent l'honneur d'exprimer l'espoir que votre Seigneurie voudra bien me communiquer les réflexions auxquelles les suggestions de M. van Tienhoven pourraient donner lieu.

Veuillez, &c.
(Signé) GEVERS.

(Translation.)

My Lord,

London, March 28, 1892.

I HAVE been instructed by the Minister for Foreign Affairs to submit to your Lordship certain considerations which I have summarized in the inclosed Memorandum, and which have been suggested to M. van Tienhoven by the attitude which the French Government continue to maintain with regard to the Convention of the 16th November, 1887, for the suppression of the abuses caused by the liquor traffic in the North Sea.

The Netherlands Government see with regret year after year passing by without the ratification of this Convention being any nearer, and they have attempted to find a means of putting into force the stipulations of the Convention, even without the co-operation of France. Nevertheless, before taking steps in the direction indicated, the Minister for Foreign Affairs wishes to know the views of the British Government on the subject and, consequently, I have the honour to express the wish that your Lordship will be

good enough to communicate the reflections to which M. van Tienhoven's suggestions may give rise.

I avail, &c.
(Signed) GEVERS.

Inclosure 1 in No. 24.

Memorandum.

EN présence de l'attitude que le Gouvernement Français a observé jusqu'ici à l'égard de la Convention concernant la répression des abus du trafic des spiritueux dans la Mer du Nord en refusant de la soumettre à l'approbation des Chambres, le Gouvernement Néerlandais a cru devoir considérer ce qui pourrait bien se faire pour ne pas laisser cette Convention devenir une lettre morte.

M. van Tienhoven est d'avis que c'est encore à désirer dans l'intérêt général, que le Corps Législatif en France soit mis à même aussitôt que possible de se prononcer au sujet de la Convention du 16 Novembre, 1887; car en cas d'approbation on pourrait, comme de raison, procéder immédiatement à la ratification, tandis que dans le cas contraire les cinq autres Puissances intéressées sauraient à quoi s'en tenir et seraient libres de tomber d'accord entre elles sur le meilleur moyen de mettre à exécution les stipulations de cette Convention sans la coopération de la France.

Il est cependant à prévoir que le Gouvernement Français préférera temporiser, c'est-à-dire attendre au hasard un moment propice pour obtenir l'approbation des Chambres et dans ce cas il semble au Gouvernement Néerlandais que l'Allemagne, la Belgique, le Danemark, la Grande-Bretagne, et les Pays-Bas pourraient conclure entre eux une seconde Convention, semblable à la première, mais contenant la stipulation additionnelle, que si la France désirait à un moment donné ratifier la Convention de 1887, la seconde Convention deviendrait nulle, la première entrant en vigueur à sa place.

Cette manière d'agir offrirait le double avantage de rendre possible pour la France de se rallier plus tard à la seconde Convention, si par malheur les Chambres rejetaient la première, et en même temps d'empêcher que l'opposition de la France ne continue à priver les autres Puissances intéressées des effets salutaires de la Convention sur laquelle on était tombé d'accord.

La justesse des réflexions qui précèdent une fois admise, il s'agirait par conséquent d'abord de mettre le Gouvernement Français en demeure de déclarer s'il est disposé à soumettre la Convention de 1887 à l'approbation des Chambres à une date fixe et pas trop éloignée, et ensuite, en cas d'une réponse négative, de faire part à la France que les autres cinq Puissances intéressées ont décidé de conclure entre elles une nouvelle Convention qui serait abrogée le jour où le Gouvernement de la République ratifierait celle du 16 Novembre, 1887.

Un Avant-Projet de la seconde Convention en question, contenant le texte de la stipulation à ajouter à la Convention de 1887, est jointe sous ce pli.

(Translation.)

IN presence of the attitude taken up by the French Government until now relative to the Convention for the suppression of abuses in the North Sea liquor traffic, in refusing to submit it for the approval of the Chambers, the Netherlands Government have thought fit to consider what could be done to prevent this Convention becoming a dead letter.

M. van Tienhoven is of opinion that it is still desirable, in the general interest, that the French Legislature should be enabled as soon as possible to pronounce an opinion on the Convention of the 16th November, 1887, for in case of approval, the ratification could, of course, be proceeded with, while, in the contrary case, the five other interested Powers would know what to do, and would be free to come to some agreement as to the best way of putting into execution the provisions of the Convention without the co-operation of France.

It may, however, be foreseen that France will prefer temporizing, that is to say, that they would wait for the chance of a favourable moment to obtain the approval of the Chambers, and it seems to the Netherlands Government that Germany, Belgium, Denmark, Great Britain, and the Netherlands might in this case conclude among themselves a second Convention similar to the first, but containing the additional stipulation that, if at any moment France desired to ratify the Convention of 1887, the second Convention should be annulled, and the first come into operation instead.

This method would offer the twofold advantage of making it possible for France to join the second Convention later if the Chambers should unfortunately reject the first, and at the same time of preventing the opposition of France from continuing to deprive the other Powers interested of the salutary effects of the Convention on which they had agreed.

If the justice of these reflections be once admitted, the plan to be adopted would be to press the French Government to declare whether they are disposed to submit the Convention of 1887 for the approval of the Chambers at a specified and not distant date, and then to inform France that the five Powers interested have decided to conclude among themselves a fresh Convention, which would be annulled on the day on which the Government of the Republic should ratify that of the 16th November, 1887.

A draft of the second Convention in question, containing the text of the stipulation to be added to the Convention of 1887, is inclosed herewith.

Inclosure 2 in No. 24.

Avant-Projet.

SA Majesté, &c.

Ayant reconnu la nécessité de remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord en dehors des eaux territoriales;

Considérant que la Convention Internationale conclue dans ce but à La Haye le 16 Novembre, 1887, n'a pas reçu d'exécution jusqu'à présent par suite des difficultés que rencontre en France sa ratification,

Ont résolu de conclure à cet effet une nouvelle Convention, et ont nommé, &c.

Articles I à X comme dans la Convention de 1887.

Article XI. Dans le cas où le Gouvernement de la République Française déclarerait être à même de procéder encore à la ratification de la Convention Internationale conclue à La Haye le 16 Novembre, 1887, cette dernière Convention sera ratifiée par toutes les Parties Contractantes ainsi que par les Puissances qui y auraient adhéré en vertu de la disposition de l'Article X.

En suite de cette ratification la présente Convention sera abrogée et remplacée par celle du 16 Novembre, 1887.

Articles XII et XIII. Comme les Articles XI et XII de la Convention de 1887.

Fait à en cinq exemplaires le

(Translation.)

Draft.

HIS Majesty, &c.

Having recognized the necessity of remedying the abuses produced by the liquor traffic among the fishermen of the North Sea outside territorial waters;

And whereas the International Convention concluded with this object at the Hague on the 16th November, 1887, has not yet been put into operation on account of the difficulties which its ratification by France presents,

Have resolved to conclude a new Convention, and have named, &c.

Articles I to X as in the Convention of 1887.

Article XI. In case the Government of the French Republic should declare their ability to ratify the International Convention concluded on the 16th November, 1887, the latter Convention shall be ratified by all the Contracting Parties, as well as by the Powers who adhered to it in virtue of the provisions of Article X.

In consequence of this ratification the present Convention shall be annulled, and replaced by the Convention of the 16th November, 1887.

Articles XII and XIII. As in Articles XI and XII of the Convention of 1887.

Done at , in five copies, on

The Marquis of Salisbury to Baron Gevers.

M. le Baron,

Foreign Office, March 31, 1892.

I HAVE the honour to acknowledge the receipt of your note of the 28th instant, stating the course which the Netherlands Government suggest should be adopted with the view to bring the North Sea Liquor Traffic Convention of 1886 into operation.

In reply, I beg to state that Her Majesty's Government concur in the course of action in this question proposed by the Government of the Netherlands.

I am, &c.
(Signed) SALISBURY.

Baron Gevers to the Marquis of Salisbury.—(Received April 5.)

M. le Marquis,

Londres, le 2 Avril, 1892.

J'AI l'honneur d'accuser réception de la note que votre Seigneurie a bien voulu m'adresser en date du 31 Mars dernier, approuvant certaines propositions que mon Gouvernement a faites dans le but de hâter la mise à exécution de la Convention signée à La Haye le 16 Novembre, 1887, pour remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord.

Je n'ai pas manqué de transmettre cette note à mon Gouvernement.

Veillez, &c.
(Signé) GEVERS.

(Translation.)

My Lord,

London, April 2, 1892.

I HAVE the honour to acknowledge the receipt of the note which your Lordship did me the honour to address to me on the 31st ultimo, approving certain proposals made by my Government with the object of hastening the execution of the Convention signed at the Hague on the 16th November, 1887, to remedy the abuses produced by the liquor traffic among the North Sea fishermen.

I did not fail to transmit this note to my Government.

Accept, &c.
(Signed) GEVERS.

*The Marquis of Salisbury to the Marquis of Dufferin.**

My Lord,

Foreign Office, April 9, 1892.

I TRANSMIT herewith, for your Excellency's information, copies of correspondence with Baron Gevers, as noted in the margin,† respecting the course which the Netherlands Government propose should be adopted in order to bring the North Sea Liquor Traffic Convention of 1887 into operation.

I am, &c.
(Signed) SALISBURY.

Foreign Office to Board of Trade.

Sir,

Foreign Office, April 9, 1892.

I AM directed by the Marquis of Salisbury to transmit to you, to be laid before the Board of Trade, copies of correspondence with Baron Gevers, as noted in the margin,† respecting the course which the Netherlands Government propose should be adopted in order to bring the North Sea Liquor Traffic Convention of 1887 into operation.

* Also to Mr. Gosselin, Sir G. Bonham, Sir E. Malet, and Sir F. Denys.

† Nos. 24, 25, and 26.

I am to request that you will move the Board of Trade to cause Lord Salisbury to be informed whether, in their opinion, the Act 51 & 52 Vict., cap. 18, to give effect to the Convention of 1887 will be sufficient to give effect to the arrangements on the subject in the somewhat altered shape now proposed by the Netherlands Government.

I am, &c.

(Signed) JAMES W. LOWTHER.

No. 29.

Sir G. Bonham to the Marquis of Salisbury.—(Received April 16.)

My Lord,

The Hague, April 13, 1892.

WITH reference to Sir Horace Rumbold's despatch of the 17th ultimo, M. van Tienhoven, in the course of conversation to-day, alluded to the course of action which the Netherlands Government propose should be adopted with regard to the North Sea Liquor Traffic Convention, which has formed the subject of a correspondence between your Lordship and Baron Gevers, communicated to me in your Lordship's despatch of the 9th instant.

His Excellency said that the French Government had not as yet given any answer to the communication which he had caused to be addressed to them with regard to the desirability of submitting the Convention to the approval of the French Chamber. His Excellency further stated that his proposed course of action, in the event of the French Government determining to adopt his suggestion, had not been communicated to the other Powers interested.

I have, &c.

(Signed) G. F. BONHAM.

No. 30.

Count de Bylandt to the Marquis of Salisbury.—(Received April 18.)

M. le Marquis,

Londres, le 16 Avril, 1892.

LE Ministre des Affaires Étrangères a appris avec satisfaction par la note que votre Seigneurie a bien voulu m'adresser en date du 31 Mars dernier, qu'elle approuve la proposition du Gouvernement Néerlandais ayant pour but d'accélérer la mise à exécution de la Convention signée à La Haye le 16 Novembre, 1887, pour la répression des abus qu'engendre le trafic des spiritueux parmi les pêcheurs de la Mer du Nord.

M. van Tienhoven est d'avis que, dans le but de donner plus de poids à la démarche qui doit se faire à Paris, il serait utile que l'Ambassadeur d'Angleterre et le Ministre des Pays-Bas adressent simultanément à M. Ribot des notes autant que possible identiques, dans lesquelles on demanderait au Gouvernement Français s'il est disposé d'insister auprès de la Chambre pour qu'elle prenne en considération la Convention de 1887, et s'il peut donner l'assurance qu'une décision, quelle qu'elle soit, sera prise dans un espace de temps convenable.

J'ai par conséquent l'honneur de prier votre Seigneurie, en cas qu'elle partage cet avis, d'autoriser Lord Dufferin d'abord à considérer avec le Jonkheer de Stuers dans quelle forme on pourrait bien approcher le Gouvernement de la République sur ce sujet, et ensuite à participer à cette démarche.

Veuillez, &c.

(Pour le Comte de Bylandt),

(Signé) GEVERS.

(Translation.)

My Lord,

London, April 16, 1892.

THE Minister for Foreign Affairs has learnt with satisfaction, from the note which your Lordship was good enough to address to me on the 31st ultimo, that you approve of the proposal of the Netherlands Government, which has for its object to accelerate the execution of the Convention signed at the Hague on the 16th November, 1887, for the suppression of the abuses produced by the liquor traffic in the North Sea.

M. van Tienhoven is of opinion that in order to give more weight to the steps which are to be taken in Paris, it would be advisable that the British Ambassador and the Netherlands Minister should simultaneously address notes, as far as possible identic, to M. Ribot, asking the French Government whether they would be willing to urge the

Chamber to take into consideration the Convention of 1887, and whether they are able to give the assurance that a decision of some kind will be come to within a reasonable time.

I have consequently the honour to beg your Lordship, if you share this opinion, to authorize Lord Dufferin first of all to consider, in conjunction with Jonkheer de Stuers, in what way the Government of the Republic should be approached on the subject, and then to report the steps taken.

Accept, &c.
(For Count de Bylandt),
(Signed) GEVERS.

No. 31.

Board of Trade to Foreign Office.—(Received April 20.)

Sir,

Board of Trade, London, April 19, 1892.

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 9th instant, inclosing copies of correspondence with Baron Gevers on the subject of the course proposed to be adopted in order to bring the North Sea Liquor Traffic Convention of 1887 into operation, and inquiring whether, in their opinion, the Act 51 & 52 Vict., cap. 18, will be sufficient to give effect to the modified arrangements now contemplated.

I am to state, for the information of the Marquis of Salisbury, that the Board of Trade are advised that fresh legislation will be necessary in order to give effect to the new Convention.

I have, &c.
(Signed) R. GIFFEN.

No. 32.

The Marquis of Dufferin to the Marquis of Salisbury.—(Received April 21.)

My Lord,

Paris, April 18, 1892.

I HAVE the honour to transmit to your Lordship copy of the Report of the Commission of the Chamber charged with the examination of the Bills dealing with the spirit traffic in the North Sea.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure in No. 32.

No. 2029.—CHAMBRE DES DÉPUTÉS.

Cinquième Législature.—Session de 1892.

Annexe au Procès-verbal de la Séance du 31 Mars, 1892.

Rapport fait au nom de la Commission chargée d'examiner : (1) le Projet de Loi portant approbation de la Convention signée à La Haye, le 16 Novembre, 1887, pour remédier au Trafic des Spiritueux dans la Mer du Nord, en dehors des Eaux Territoriales ; (2) le Projet de Loi relatif à la répression des infractions à la Convention Internationale du 16 Novembre, 1887, sur le Trafic des Spiritueux dans la Mer du Nord, en dehors des Eaux Territoriales, par M. Maurice Sibille, Député.*

Messieurs,

UNE Convention prescrivant dans la Mer du Nord différentes mesures de surveillance et de police a été signée à La Haye par les Représentants de la France, de l'Allemagne, de la Belgique, du Danemark, de la Grande-Bretagne, et des Pays-Bas. Vers la fin de la dernière Législature elle a été soumise à l'examen d'une Commission spéciale ; un Rapport concluant à l'approbation a été déposé par l'honorable M. Chanson,

* Cette Commission est composée de MM. Siegfried, Président ; Sibille, Secrétaire ; du Saussay, Ledieu, Lacroix (Loiret), du Périer de Larsan, Comte de Terves, Jacquemart, N—, Dejardin-Verkinder N—
(Voir les Nos. 231 et 232.)

mais n'a pu être discuté devant la Chambre, Vous avez donc été invités à nommer une nouvelle Commission et vous devez prononcer l'adoption, l'ajournement, ou le rejet du Projet de Loi autorisant M. le Président de la République à ratifier et, s'il y a lieu, à faire exécuter cette Convention, qui porte la date déjà un peu éloignée du 16 Novembre, 1887.

I.—OBJET DE LA CONVENTION.

Les Représentants des Hautes Parties Contractantes se sont proposé de mettre un terme à des abus fort anciens engendrés par le trafic des spiritueux.

Depuis plusieurs années l'attention des Gouvernements Européens était appelée sur des actes d'indiscipline, sur des crimes commis dans la Mer du Nord, en dehors des eaux territoriales. Une enquête faite par des Commissaires Anglais avait démontré, dès 1880, que dans ces parages le commerce des boissons alcooliques était presque toujours exercé par des gens dépourvus de sens moral; sur des navires, qui portaient le pavillon Allemand, on se livrait à la honteuse exploitation de tous les vices; des pêcheurs venus pour acheter de l'eau-de-vie étaient retenus par des prostituées: quand l'ivresse avait troublé leur raison, tantôt ils étaient dépouillés et volés, tantôt ils commettaient des actes d'odieuse brutalité et à de scandaleuses orgies succédaient trop souvent des scènes de vol ou de meurtre. Tous ces excès avaient été dénoncés à la Conférence réunie en 1881 pour préparer un Règlement International de la pêche; mais comme les Délégués de plusieurs États n'avaient pas mandat d'organiser la répression de crimes, on avait seulement inséré dans un Protocole le vœu d'un arrangement international.

En 1884, de nouveaux vols et de nouveaux meurtres soulevèrent l'indignation publique; un cabaret flottant de nationalité Allemande, "l'Anna," fut le théâtre d'actes de violence; un autre cabaret flottant, également de nationalité Allemande, le "Dietrich," fut pour ainsi dire pris d'assaut et mis au pillage par des pêcheurs Anglais. Ce furent ces graves incidents qui décidèrent le Gouvernement des Pays-Bas à faire appel à différentes Puissances, et les Plénipotentiaires réunis à La Haye délibérèrent sous l'influence encore vive de l'émotion causée par de déplorables rixes entre Allemands et Anglais.

Il convient aujourd'hui de rechercher si dans le désir, d'ailleurs fort louable, de contribuer à une œuvre de moralisation, le Représentant de la France n'a pas fait de trop larges et trop importantes concessions.

II.—LA CONVENTION.

Avant d'apprécier cette Convention de La Haye, nous allons en rappeler les termes et en indiquer brièvement les conséquences immédiates.

"Article I. Les dispositions de la présente Convention s'appliquent dans la Mer du Nord, en dehors des eaux territoriales, et dans les limites fixées par l'Article IV de la Convention de La Haye, du 6 Mai, 1882, sur la police de la pêche, à toute personne se trouvant à bord d'un navire ou bâtiment d'une des Hautes Parties Contractantes."

Remarquez qu'il n'est fait aucune distinction entre les misérables dont les turpitudes ont causé tant de désordres et les marins ou pêcheurs qui s'exposent à des fatigues, à des privations et à des dangers pour gagner honnêtement un maigre salaire. A tous les mêmes prohibitions vont être imposées; aux uns et aux autres les mêmes peines seront appliquées en cas de contravention.

"Article II. Il est interdit de vendre des boissons spiritueuses aux personnes qui se trouvent à bord des bateaux de pêche ou qui appartiennent à ces bateaux.

"Il est interdit à ces personnes d'en acheter.

"L'échange de boissons spiritueuses contre tout objet et notamment contre des produits de la pêche, des objets d'armement, ou des engins de pêche, est défendu.

"Est considéré comme boisson spiritueuse tout liquide provenant de la distillation et contenant plus de 5 litres d'alcool par hectolitre."

On ne se borne pas à empêcher par une prescription spéciale la croisière et le stationnement des cabarets flottants; on pose une règle générale à laquelle seront soumis tous les navires sans aucune exception. Quelles que soient les circonstances, nul n'aura le droit de céder contre du poisson ou contre de l'argent quelques bouteilles d'eau-de-vie à des pêcheurs retenus loin des côtes pendant une saison rigoureuse.

"Article III. Le droit de faire le débit aux pêcheurs, d'approvisionnements et d'autres objets servant à leur usage, à l'exception des boissons spiritueuses, est subordonné à un permis accordé par l'État, auquel appartient le navire. Ce permis doit comprendre, entre autres, les conditions suivantes:—

"1. Le navire ne peut avoir à bord une quantité de spiritueux supérieure à celle jugée nécessaire pour la consommation de son équipage.

“ 2. Tout échange des objets indiqués ci-dessus contre les produits de la pêche, objets d'armement ou engins de pêche est interdit.

“ Les navires munis de ce permis devront porter la marque spéciale et uniforme dont les Hautes Puissances Contractantes conviendront.”

Avec une pareille clause, toute cession de vivres frais et d'agès peut faire craindre une demande d'explication, une poursuite, sinon une condamnation.

Pour rendre service à des inconnus, beaucoup de capitaines ne voudront pas s'exposer à subir des interrogatoires et des pertes de temps. Lorsqu'à la fin d'une campagne ou après une tempête, le besoin d'un ravitaillement se fera sentir, les pêcheurs ne trouveront plus comme aujourd'hui aide et secours à bord du premier navire qu'ils rencontreront, et parfois ils devront attendre pendant de longues et cruelles heures le passage d'un bâtiment muni d'un permis spécial.

“ Article IV. Les Hautes Parties Contractantes s'engagent à prendre ou à proposer à leurs Législatures respectives les mesures nécessaires pour assurer l'exécution de la présente Convention, et notamment pour faire punir, soit de l'emprisonnement, soit de l'amende, soit de ces deux peines, ceux qui contreviendraient aux Articles II et III.

“ Article V. Les Tribunaux compétents pour connaître des infractions aux Articles II et III, sont ceux du pays auquel appartient le bâtiment inculpé.

“ Si des navires de nationalité différente sont impliqués dans une même infraction, les Puissances auxquelles appartiennent ces navires se communiqueront réciproquement les Jugements rendus par les Tribunaux.”

Ainsi chaque pays conserve le libre choix des mesures à prendre pour assurer l'exécution de la Convention; les mêmes contraventions seront punies ici d'une légère amende, là de plusieurs jours de prison; les mêmes faits auront des conséquences différentes suivant les nationalités des délinquants.

“ Article VI. La poursuite des infractions a lieu par l'État ou en son nom.

“ Les infractions peuvent être constatées par tous les moyens de preuve admis dans la législation du pays où siège le Tribunal saisi.

“ Article VII. La surveillance est exercée par les bâtiments croiseurs des Hautes Parties Contractantes, chargés de la police de la pêche.

“ Lorsque les officiers commandant ces croiseurs ont lieu de croire qu'une infraction aux mesures prévues par la présente Convention a été commise, ils peuvent exiger du capitaine ou du patron l'exhibition des pièces officielles justifiant de la nationalité de son bâtiment, et le cas échéant, celle du permis. Mention sommaire de cette exhibition est faite immédiatement sur les pièces produites.

“ En outre, des procès-verbaux peuvent être dressés par les dits officiers, quelle que soit la nationalité du bâtiment inculpé. Ces procès-verbaux sont dressés suivant les formes et dans la langue en usage dans le pays auquel appartient l'officier; ils peuvent servir de moyen de preuve dans le pays où ils sont invoqués et suivant la législation de ce pays. Les inculpés et les témoins ont le droit d'y ajouter ou d'y faire ajouter; dans leur propre langue, toutes explications qu'ils croient utiles; ces déclarations doivent être dûment signées.

“ La résistance aux prescriptions des Commandants des bâtiments croiseurs, ou de ceux qui agissent d'après leurs ordres, est, sans tenir compte de la nationalité des croiseurs, considérée comme résistance envers l'autorité nationale.”

“ Si le cas lui semble assez grave pour justifier cette mesure, le Commandant du croiseur aura le droit de conduire le bâtiment en contravention dans un port de la nation à laquelle appartient ce bâtiment.”

Dans la Mer du Nord, non seulement les pêcheurs, mais tous les marins seront donc soumis à une surveillance spéciale. Un Commandant de croiseur Allemand, Anglais, ou Belge sera juge provisoire de l'interprétation du Traité; il pourra, sans même indiquer quelles circonstances ont éveillé ses soupçons, arrêter un navire de notre marine marchande et visiter les papiers de bord. Bien plus, il lui suffira de supposer une contravention grave pour avoir le droit de reconduire ce navire dans un de nos ports. Quant au capitaine Français, il sera tenu d'obéir à toutes les prescriptions de l'officier étranger; il verra dresser dans une langue inconnue un procès-verbal qui ne sera affirmé devant aucun Magistrat, mais qui fera foi jusqu'à inscription de faux; il devra enfin laisser édifier sans protestation une procédure souvent signalée par nos juriconsultes comme contraire au droit de la défense et au respect de la conscience du Juge.

“ Article VIII. La procédure en matière d'infraction aux dispositions de la présente Convention, a toujours lieu aussi sommairement que les Lois et les Règlements le permettent.

“ Article IX. Les Hautes Parties Contractantes se communiqueront, lors de l'échange

des ratifications, les Lois qui auront été rendues dans leurs États, relativement à l'objet de la présente Convention.

“Article X. Les États qui n'ont point pris part à la présente Convention sont admis à adhérer, sur leur demande.

“Cette adhésion sera notifiée par la voie diplomatique au Gouvernement des Pays-Bas, et par celui-ci aux autres Gouvernements signataires.”

Nous accordons dans la Mer du Nord des droits de police aux Hautes Parties Contractantes et nous nous engageons à reconnaître les mêmes droits à tous les États qui enverront des adhésions au Gouvernement des Pays-Bas.

“Article XI. La présente Convention sera mise en exécution à partir du jour dont les Hautes Parties Contractantes conviendront.

“Elle restera en vigueur pendant cinq années à dater de ce jour, et, dans le cas où aucune des Hautes Parties Contractantes n'aurait notifié, douze mois avant l'expiration de la dite période de cinq années, son intention d'en faire cesser les effets, elle continuera à rester en vigueur une année, et ainsi de suite d'année en année.

“Si la Convention de La Haye du 6 Mai, 1882, sur la police de la pêche cessait d'être en vigueur, l'Article XXVI de la dite Convention continuera à sortir ses effets pour l'objet du présent arrangement.”

L'Article XXVI de la Convention du 5 Mai, 1882, accorde à une des Hautes Parties Contractantes des avantages particuliers. Quoique les capitaines de marine marchande ne soient pas élevés, par la sécurité de l'avenir, au-dessus de toutes les considérations d'ordre privé, ils pourront en Belgique commander des croiseurs et arrêter les bâtiments de la marine marchande Française.

“Article XII. La présente Convention sera ratifiée; les ratifications en seront échangées à La Haye, le plus tôt possible, et, si faire se peut, dans le délai d'un an.”

III.—OBSERVATIONS.

§ 1^{er}.—*La Convention de La Haye est contraire aux anciennes traditions de notre Politique Étrangère.*

Le principe de la liberté des mers est aujourd'hui universellement reconnu. Lorsque des navires restent loin des côtes, ils ne sont soumis à aucune prohibition, à aucune taxe; ils ne subissent que le contrôle des autorités de l'État dont ils portent le pavillon; telle est la règle générale.

Par exception, lorsqu'une guerre éclate entre des Puissances Maritimes ou lorsque des intérêts considérables sont menacés, des mesures de police sont prescrites, des actes de juridiction autorisés et même des prises effectuées en vertu d'usages ou de Traités Internationaux.

Ces maximes, protectrices des droits des faibles, n'ont pas été toujours admises. Au dix-septième siècle, Selden cherchait à établir par des documents historiques les prétendus droits de l'Angleterre à la souveraineté des mers, et son livre, imprimé à Londres, était solennellement déposé dans les archives du Conseil Privé, de l'Échiquier, et de l'Amirauté. Plus tard, le Gouvernement Britannique adressait à des Commandants de croiseurs des instructions où il traçait arbitrairement les devoirs auxquels seraient astreints les capitaines des navires des autres nations; quand il avait à soutenir une guerre, il déclarait que le pavillon ne couvrirait pas la marchandise et que tous les bâtiments neutres subiraient la visite. L'histoire nous montre ainsi nos puissants voisins aspirant ostensiblement, dans le passé, à la domination des mers.

La France, au contraire, a toujours professé le respect de l'indépendance des pavillons. Défendant les intérêts des marines secondaires, l'ancienne Monarchie protestait contre la visite des bâtiments neutres et cherchait à faire pénétrer dans le droit public international des idées ainsi résumées en 1778: “Vaisseaux libres, marchandises libres.” Poursuivant un idéal de justice, la République inscrivait sur les drapeaux de la flotte cette belle devise: “Liberté des mers, paix au monde, égalité de droits pour toutes les nations.” Si, depuis le Traité de Paris de 1856, presque tous les peuples civilisés refusent de délivrer des lettres de marque et reconnaissent les droits des neutres, si aujourd'hui les prétentions à la souveraineté des mers sont traitées, même à Londres, de “fantaisies archéologiques,” la France peut réclamer l'honneur d'avoir préparé et assuré ces conquêtes de la liberté.

Obligée par les progrès des mœurs de renoncer au despotisme maritime, l'Angleterre a constamment tout mis en œuvre pour obtenir des Traités assurant à ses nombreux bâtiments de guerre, sinon en droit, au moins en fait, la police de l'Océan. Avant la Proclamation de l'Indépendance Américaine, elle s'était opposée à l'exécution de la Loi qui

avait prohibé l'introduction des nègres en Virginie ; puis, cédant au mouvement d'opinion provoqué par les éloquentes discours de William Wilberforce, elle avait en 1807 aboli la Traite. Elle ne tarda pas à voir dans cette grande mesure, dictée par une haute philanthropie, un prétexte ou un moyen de placer les navires du monde entier sous la surveillance de ses croiseurs. Lorsqu'elle eut obtenu des Puissances alliées, en 1815, la condamnation de la Traite des nègres, elle entama et poursuivit différentes négociations pour faire ériger en principe de droit international la faculté de visite réciproque en pleine paix à bord des navires soupçonnés de se livrer à un coupable trafic ; mais l'énergique résistance du Gouvernement et du Parlement Français déjoua tous les projets et toutes les combinaisons.

Au Congrès de Vienne, en 1815, Talleyrand répondait à Lord Castelreagh que notre pays n'admettrait jamais d'autre police maritime que celle exercée par chaque Puissance sur ses propres bâtiments. Plus tard, au Congrès de Vérone, Chateaubriand repoussait les propositions formulées par Lord Wellington : "La France," disait-il, "reconnaît la liberté des mers pour tous les pavillons étrangers, à quelque Puissance Maritime qu'ils appartiennent ; elle ne réclame pour elle que l'indépendance qu'elle respecte dans les autres et qui convient à sa dignité." En dépit de ces refus réitérés, l'Angleterre, ne renonçant pas à une ambition longtemps caressée, persistait à réclamer le droit de visite réciproque ; elle avait la bonne fortune de l'obtenir en 1823 des Pays-Bas, en 1824 de la Suède, et en 1831 de la France. Poussé par le désir de se concilier l'appui et la bienveillance d'une vieille Monarchie, le Roi Louis-Philippe cherchait même à introduire les idées Anglaises dans le droit international par un Traité signé de toutes les Grandes Puissances. Mais l'importance des concessions accordées n'assure pas toujours la solidité des alliances ; les sacrifices trop légèrement consentis font supposer un sentiment de faiblesse bien plus qu'un désir d'entente, et tel qui croyait avoir acquis sympathie et reconnaissance ne rencontre souvent qu'indifférence et dédain.

Pendant que nous secondions partout les efforts de la diplomatie Anglaise, le Gouvernement de Sa Majesté la Reine Victoria combattait notre influence en Égypte et se mettait à la tête d'une redoutable coalition.

Il y eut alors un remarquable réveil de l'opinion publique ; au mois de Janvier 1842, un retentissant débat sur la politique étrangère s'engagea devant la Chambre ; d'illustres orateurs, Billault, Dupin, Odilon Barrot, Thiers, et Berryer s'élevèrent contre le droit de visite en temps de paix ; ils démontrèrent que la réciprocité offerte était illusoire entre des Puissances inégales en forces maritimes ; ils établirent que toute dérogation, même légère, aux anciennes règles de notre droit public non seulement porterait atteinte à nos intérêts commerciaux, mais blesserait le patriotisme de nos marins. Après ces éloquentes protestations, la ratification de la Convention de 1841 fut ajournée et bientôt les Traités de 1831 et 1833 furent dénoncés. C'est ainsi que le Parlement, évoquant les souvenirs d'un passé glorieux, assura il y a cinquante ans la liberté de navigation que le Gouvernement d'alors paraissait disposé à sacrifier.

Cependant, à l'heure où les prétentions Britanniques avaient paru triompher en Europe, la grande cause de l'indépendance des pavillons avait eu de l'autre côté de l'Atlantique de nombreux et vaillants défenseurs. L'Angleterre, se rendant compte de l'état de l'opinion publique, avait vite abandonné le vain espoir d'obtenir l'adhésion des États-Unis au Traité qu'elle préparait ; en 1841, elle n'avait pas réclamé le droit de visiter un navire Américain, mais la simple faculté de s'assurer qu'il n'y avait pas usurpation de pavillon. Pour l'abolition de la Traite des nègres, elle avait proposé les mesures mêmes qui nous sont soumises aujourd'hui en vue de la répression des abus engendrés par le trafic des spiritueux. Malgré les appels les plus pressants, quoique le but à atteindre fût l'affranchissement d'une portion de l'humanité, elle ne put jamais faire concéder à un officier Anglais l'autorisation d'interroger en pleine mer des citoyens Américains. Qu'il nous soit permis de replacer sous vos yeux le jugement sévère prononcé à cette époque contre toute surveillance exercée par des bâtiments croiseurs sur des navires de différentes nations. Parlant, veuillez le remarquer, non du droit de visite, mais de la faculté de viser les papiers de bord, le Représentant de l'Union Américaine à Londres s'exprimait ainsi :—

"Cette doctrine tendrait à établir une usurpation de droit évidente au bénéfice des croiseurs Anglais, puisqu'elle leur reconnaîtrait le droit d'arrêter tout bâtiment à quelque nation qu'il appartienne, de lui demander ses papiers et de juger si véritablement il peut réclamer le bénéfice du pavillon sous lequel il navigue ; il est inutile sans doute de remarquer que la différence qu'on voudrait établir entre le droit de visite qu'on reconnaît ne pas avoir et celui auquel on prétend est purement imaginaire ; tout cela revient exactement au même ; et d'ailleurs le droit d'aborder un bâtiment en haute mer et en temps de paix, de le retenir et de décider de sa nationalité est encore plus odieux, plus insultant,

plus tyrannique que ce qu'on a appelé jusqu'ici le droit de visite, droit qui ne peut s'exercer que pendant la guerre et qui n'a jamais été appliqué en temps de paix."

Cette fière réponse, lue à la tribune de la Chambre en 1842, reçut l'approbation de plusieurs hommes d'État Français; elle est certainement conforme aux principes que divers Ministres ont soutenus et que nous devons toujours chercher à faire prévaloir.

Des Traités ont pourtant accordé à des croiseurs étrangers, dans les régions d'ailleurs bien déterminées, le droit de se faire représenter les documents qui établissent la nationalité de bâtiments naviguant sous le pavillon Français. Telles sont la Convention du 6 Mai, 1882, relative à la police de la pêche dans la Mer du Nord, la Convention du 14 Mars, 1884, destinée à réprimer les détériorations des câbles sous-marins. Mais le vif désir d'assurer une protection efficace à nos pêcheurs et la nécessité pressante de punir certains délits peuvent expliquer des concessions exceptionnelles.

Du reste, il y a quelques mois, le Parlement, jaloux de sauvegarder les anciennes règles de notre droit maritime, a déclaré inacceptables certaines dispositions adoptées le 2 Juillet, 1890, par la grande Conférence Anti-Esclavagiste de Bruxelles; contrairement à l'avis d'une Commission préoccupée d'unir les efforts de la France à ceux d'autres Puissances pour l'énergique répression de la Traite, il s'est opposé à l'examen des papiers destinés à établir dans une zone déterminée la régularité des opérations des bâtiments de faible tonnage. En vertu des réserves faites par le Gouvernement sur l'invitation des Chambres, divers Articles de l'Acte de Bruxelles relatifs à la navigation ne lient pas notre pays.

Le principe de la liberté des mers reste donc bien, en dépit de quelques dérogations, le principe fondamental de notre droit public maritime. Donner aujourd'hui à des étrangers, sans des motifs très sérieux, l'autorisation de surveiller nos navires, ce serait évidemment favoriser les anciennes vues de nos voisins et renoncer à nos traditions nationales. Une pareille concession en amènerait fatalement d'autres; dans toutes les négociations on invoquerait ce fâcheux précédent; des faits insignifiants, grossis à plaisir, seraient présentés et acceptés comme prétextes suffisants pour placer presque toutes les mers sous un régime spécial. Le Gouvernement Britannique, avec ses nombreux croiseurs, aurait alors, en réalité, la police de l'Océan, et, par une pente insensible, on arriverait à regarder comme une idée surannée cette vieille maxime de la liberté de navigation que la France a affirmée et défendue pendant trois siècles.

Or si, sur les observations des Délégués de l'Allemagne, les Plénipotentiaires réunis à La Haye n'ont pas admis le droit de visite et de recherche, ils ont, comme nous l'avons montré, accordé dans la Mer du Nord à des officiers Anglais, Allemands, Hollandais, et Belges la faculté d'arrêter tous nos bâtiments, les plus grands steamers comme les plus petites barques, la faculté de lire les papiers de bord, d'étudier les rôles d'équipage, d'interroger les marins, d'incriminer des actes sans gravité, de dresser des procès-verbaux faisant foi jusqu'à inscription de faux, la faculté enfin de provoquer des poursuites correctionnelles contre nos capitaines et même de reconduire au port des navires battant pavillon Français. Nous avons vainement cherché quelles graves considérations pouvaient justifier pareille surveillance de l'étranger sur nos nationaux.

§ 2.—*Aucun avantage concédé à la France n'explique une dérogation aux principes fondamentaux de notre Droit Public Maritime.*

En demandant l'autorisation de ratifier, le Gouvernement invoque seulement l'utilité qu'il y aurait, au point de vue moral, à faire cesser les abus engendrés par le trafic des spiritueux.

Mais tous les actes d'indiscipline, tous les crimes dénoncés à la Conférence de La Haye, ont été commis par des Anglais et des Allemands. Nous devons aux marins et aux pêcheurs Français qui naviguent dans la Mer du Nord ce témoignage qu'ils ne se sont pas rendus coupables des excès flétris et condamnés par les Plénipotentiaires des Hautes Parties Contractantes. Est-il juste, est-il utile de les soumettre à toutes les rigueurs d'un règlement sévère? Nous ne le pensons pas.

Si, après les désordres signalés en 1881, l'Allemagne n'avait plus laissé sortir de ses ports un seul cabaret flottant, si l'Angleterre avait exercé sur ses pêcheurs une surveillance active, on n'aurait pas eu à déplorer les sanglantes orgies qui ont soulevé, en 1884, l'indignation publique. De simples mesures de police prises en Allemagne et en Angleterre semblent suffisantes pour empêcher le retour d'abus regrettables, et une entente internationale n'est pas absolument nécessaire.

On objecte que si nous n'autorisons pas la ratification du Traité de La Haye, les propriétaires des cabarets flottants se placeront sous la protection de notre drapeau pour

exercer leur honteux commerce, et que notre abstention, en facilitant de coupables supercheries, empêchera une grande mesure d'assainissement. Mais, à la Conférence de La Haye, des observations présentées par les Délégués de l'Allemagne ont démontré qu'on ne regardait pas partout comme "absolument inoffensives" certaines clauses de la Convention; le Gouvernement des Pays-Bas n'a pas encore reçu et ne recevra probablement jamais les adhésions de la Suède, de la Norvège, de la Russie, de l'Amérique. Reprenant les considérations qui nous sont opposées, nous dirons: "Du moment que toutes les nations n'ont pas adhéré à la Convention, du moment qu'il y a un pavillon, Suédois, Russe, ou Américain, que les croiseurs sont tenus de respecter, le trafic des spiritueux se fera librement sous ce pavillon, et les entraves à la navigation ne donneront pas les résultats espérés, ne produiront aucun effet utile."

§ 3.—*Les différentes Prohibitions édictées dans la Convention sont de nature à léser des Intérêts commerciaux.*

Depuis quelque temps, les Boulonnais arment des bateaux d'un assez fort tonnage pour se livrer précisément dans la Mer du Nord à la pêche du hareng et à la pêche de la morue; comme ils conservent le poisson dans la glace, ils ne sont pas obligés de revenir chaque jour au port d'attache; ils visitent différentes parages, restent plusieurs semaines loin des côtes, et font en moyenne par an cinq ou six voyages plus ou moins longs (voir le Rapport du Dr. Sauvage, "Bulletin du Ministère de l'Agriculture," 9^e année, pp. 264 et suivantes).

En soumettant ces pêcheurs à de nouvelles obligations, en leur interdisant tout achat d'eau-de-vie, en ne leur laissant plus la faculté de s'adresser à n'importe quel navire pour réparation d'avaries ou ravitaillement, en accordant à des étrangers le droit de faire appliquer des règlements d'une rigueur excessive, on s'expose à soulever des mécontentements, à provoquer des récriminations, à retenir les bateaux près des côtes et à faire abandonner des expéditions qui ont donné des bénéfices, et qui devraient être encouragées.

D'un autre côté, tous nos navires se dirigeant vers les ports du nord, ou en revenant, seront soumis à une surveillance tout à fait exceptionnelle. Des officiers Anglais, Allemands, et même des capitaines de la marine marchande Belge auront le droit de les arrêter; des étrangers auront ainsi les moyens de créer des difficultés à nos armateurs et de faire perdre à de grands steamers un temps précieux.

Dans la Convention, on n'a inséré aucun Article assurant à notre commerce la réparation des erreurs et des fautes qui pourraient être commises à son préjudice. On peut donc exprimer la crainte de voir un Commandant de croiseur réclamer constamment la production des papiers de bord ou, ce qui serait plus grave, reconduire, sous un prétexte futile, un de nos bâtiments de commerce dans un de nos ports. Notre marine marchande serait alors quelque peu discréditée pour le plus grand profit des marines étrangères.

Nous constatons ici avec regret l'absence de clauses qu'on avait eu bien soin d'exiger lorsqu'on avait autorisé la visite des navires en temps de paix. Dans les Traités de 1831 et 1833, non seulement on avait limité le nombre des croiseurs, mais on avait stipulé que des dommages-intérêts seraient dus pour toute visite faite sans motif suffisant, qu'ils seraient fixés par les Tribunaux de la nation du navire visité, et qu'ils seraient payés dans le délai d'une année par le Gouvernement du croiseur.

Ajoutons que l'Article 53 de l'Acte de Bruxelles reconnaissait au bâtiment arrêté illégalement le droit à une indemnité.

On dit qu'aucune difficulté ne surgira et pour le prouver on fait remarquer que le Traité de 1882 sur la police de la pêche n'a donné lieu jusqu'à ce jour à aucune plainte sérieuse. Faut-il donc rappeler que pendant huit ans l'exercice du droit de visite concédé aux Anglais ne provoqua aucune réclamation, mais qu'en 1841 un grave incident causa une vive émotion? Par suite d'une mauvaise interprétation des Traités de 1831 et 1833, un navire Français, le "Marabout," muni de pièces régulières, parti de Bahia pour la côte d'Afrique avec une cargaison d'huile, fut arrêté, capturé, conduit à Cayenne par une corvette Anglaise, la "Rose."

§ 4.—*Enfin les abus que le texte, sinon l'esprit de la Convention autorise pourraient amener de redoutables complications.*

Si des réclamations fort justes de nos nationaux n'étaient pas admises, que ferions-nous? Ne serions-nous pas entraînés à imposer, nous aussi, des vexations aux navires étrangers. Mais opposer ainsi des abus à des abus, ce serait ouvrir une source de conflits.

Dans la Commission de l'ancienne Chambre, un de nos collègues avait déjà exprimé cette crainte de voir la Convention de La Haye devenir "le prétexte de tracasseries avec certaine Puissance Signataire" et "donner naissance à des difficultés de la plus haute gravité." On lui avait répondu que les Commandants des croiseurs rempliraient leur mission "sans enthousiasme" et que "les stipulations critiquées seraient des plus inoffensives à l'épreuve." Sans mettre en doute l'attachement actuel de tous les Gouvernements Européens aux œuvres de la paix, nous maintenons qu'il faut absolument envisager toutes les conséquences du Traité. Il ne nous paraît pas sage de supposer que, dans l'application des mesures projetées, les Hautes Parties Contractantes rivaliseront toujours de réserve et de modération.

Et en terminant, laissez-nous vous rappeler que nos populations maritimes, animées d'un ardent patriotisme, tiennent beaucoup à la liberté des mers; elles seraient profondément troublées et affligées si elles voyaient dans la Mer du Nord les capitaines de nos navires tenus d'obéir au canon Anglais ou au canon Allemand, obligés de laisser viser par des étrangers les papiers de bord. N'aurions-nous pas bientôt à déplorer de graves incidents? Ne peut-on pas répéter aujourd'hui les paroles prononcées en 1842 à la Tribune de la Chambre?

"Il y a quelque danger à mettre en contact les marins de deux pavillons; les uns et les autres ont conservé des souvenirs qui les disposent peu à des communications bienveillantes, et toutes les fois qu'on les force à avoir entre eux des communications, il peut en résulter de graves inconvénients."

En résumé.—Cette Convention de La Haye, contrairement aux principes généraux de notre droit public, ne respecte nullement l'indépendance des pavillons et place en pleine mer des navires Français sous la surveillance d'officiers étrangers.

Soumettant nos nationaux à des règlements sévères, elle expose notre commerce maritime à de sérieux embarras. Ouvrant une nouvelle source de conflits internationaux, elle peut faire surgir des complications graves et créer pour la France des périls réels.

Comme prix des sacrifices qu'elle impose, elle donne seulement l'espérance de contribuer à une œuvre de moralisation poursuivie surtout dans l'intérêt des marins Allemands et des pêcheurs Anglais; mais l'abstention de plusieurs Puissances Maritimes ne permettra pas de réprimer ainsi les abus qui ont été signalés et dénoncés.

La Commission a donc l'honneur de vous proposer: (1) de rejeter le Projet de Loi autorisant M. le Président de la République à ratifier la Convention signée à La Haye le 16 Novembre, 1887, pour remédier aux abus qu'engendre le trafic des spiritueux dans la Mer du Nord en dehors des eaux territoriales; (2) le Projet de Loi relatif à la répression des infractions à la Convention Internationale du 16 Novembre, 1887, sur le trafic des spiritueux dans la Mer du Nord, en dehors des eaux territoriales.

(Translation.)

No. 2029.—CHAMBER OF DEPUTIES.

Fifth Legislature.—Session of 1892.

Annex to the Procès-verbal of the Sitting of March 31, 1892.

Report drawn up by M. Maurice Sibille, Deputy, in the name of the Commission charged with the examination of: (1) the Bill approving the Convention signed at the Hague on November 16, 1887, to regulate the Liquor Traffic in the North Sea outside Territorial Waters; (2) the Bill relative to the suppression of offences against the International Convention of November 16, 1887, relative to the Liquor Traffic in the North Sea outside Territorial Waters.*

Gentlemen,

A CONVENTION ordaining certain measures of superintendence and police in the North Sea has been signed at the Hague by the Representatives of France, Germany, Belgium, Denmark, Great Britain, and the Netherlands. Towards the end of the last Legislature it was submitted for examination to a Special Commission; and a Report advising approval was deposited by the Honourable M. Chanson, but could not be discussed by the Chamber.

* This Commission is composed of MM. Siegfried, President; Sibille, Secretary; Du Saussay, Ledieu, Lacroix (Loiret), Du Périer de Larsan, Comte de Tervés, Jacquemart, N—, Dejardin-Verkinder, N— (See Nos. 231 and 232.)

You have therefore been invited to appoint a new Commission, and you are to pronounce on the adoption, adjournment, or rejection of the Bill authorizing the President of the Republic to ratify and, if necessary to carry out, this Convention, which bears the already somewhat remote date of the 16th November, 1887.

I.—OBJECT OF THE CONVENTION.

The Representatives of the High Contracting Parties propose to put an end to the abuses of long standing produced by the liquor traffic.

For several years the attention of European Governments had been called to crimes and acts of indiscipline committed in the North Sea outside territorial waters. An inquiry held by British Commissioners had shown that ever since 1880 the trade in alcoholic liquors had almost always been carried on by persons devoid of any sense of morality; that on board vessels flying the German flag the most shameful advantage was taken of all the vices; that fishermen who came to buy spirits were detained by prostitutes, and when their reason had been disturbed by intoxication, they were sometimes stripped and robbed, or at other times they committed acts of the most odious brutality themselves, and that the most scandalous orgies were too often succeeded by scenes of robbery and murder. All these excesses were denounced in the Conference assembled in 1881, to prepare an International Regulation of the Fisheries, but as the Delegates of several States had no instructions to organize a system for the suppression of crime, nothing was done beyond an insertion in a Protocol of a wish that an international arrangement should be arrived at.

In 1884, fresh robberies and murders excited the indignation of the public; a floating grog-shop of German nationality, the "Anna," was the scene of deeds of violence; another one, also German, the "Dietrich," was, so to speak, taken by assault and plundered by English fishermen. These grave incidents made the Netherlands Government decide to appeal to different Powers, and the Plenipotentiaries assembled at the Hague deliberated under the still powerful influence of the excitement caused by these deplorable encounters between Germans and Englishmen.

It is now our duty to examine whether, owing to the very laudable wish to contribute to a work of moralizing, the French Representative did not make concessions too large and too important.

II.—CONVENTION.

Before declaring our opinion of this Convention at the Hague, we propose to recall to you its provisions, and briefly point out their immediate consequences.

"Article I. The provisions of the present Convention shall apply in the North Sea, outside territorial waters, and within the limits fixed by Article IV of the Convention of the Hague of the 6th May, 1882, respecting the police of the fisheries to every person on board a ship or boat of any one of the High Contracting Parties."

Observe that no distinction is made between the wretches whose turpitudes have caused so much disorder, and the sailors and fishermen who expose themselves to fatigues, privations, and dangers, to earn honestly a small pittance. The same prohibitions will be imposed on all; and the same penalties will be applied in case of infractions.

"Article II. The sale of spirituous liquors to persons on board or belonging to fishing-boats is forbidden.

"The purchase of those liquors by such persons is forbidden.

"The exchange of spirituous liquors for any article, and especially for products of the fisheries, gear or equipments of fishing-boats, or fishing implements is forbidden.

"Every liquid obtained by distillation, and containing more than 5 litres of alcohol per hectolitre, shall be considered a spirituous liquor."

The prohibition is not restricted to preventing by a special provision the floating grog-shops from cruising about and taking up stations; a general rule is laid down, to which all ships, without exception, will be subjected. Whatever the circumstances, no one will have the right of supplying a few bottles of brandy, for fish or money, to fishermen kept far away from the coast, perhaps during a severe season.

"Article III. The liberty to deal with fishermen in provisions and other articles for their use (spirituous liquors excepted) shall be subject to a licence to be granted by the Government of the country to which the vessel belongs. This licence must specify the following amongst other conditions:—

"1. The vessel may not have on board a quantity of spirits greater than what is deemed requisite for the consumption of her crew.

"2. All exchange of the articles above indicated for products of the fisheries, gear or equipments of fishing-boats, or fishing implements is forbidden.

"Vessels provided with this licence must carry a special and uniform mark to be agreed upon by the High Contracting Powers."

With such a clause any supply of fresh provisions or rigging may cause a demand for explanation, a prosecution or even a condemnation.

Many captains will not consent to expose themselves to interrogatories and loss of time to render a service to unknown individuals. When, at the end of an expedition or after a storm, the want of fresh provisions is felt, fishermen will not find assistance and succour from the first ship they come across, as they do now, and will sometimes have to wait for many long and cruel hours for the passage of a vessel furnished with a special licence.

"Article IV. The High Contracting Parties engage to take, or to propose to their respective Legislatures, the necessary measures for insuring the execution of the present Convention, and especially for punishing, by either fine or imprisonment, or by both, those who may contravene Articles II and III.

"Article V. The Tribunals competent to take cognizance of infractions of Articles II and III are those of the country to which the accused vessel belongs.

"If vessels of differing nationalities should be implicated in the same infraction, the Powers to which such vessels belong will mutually communicate to each other the Judgments given by the Tribunals."

Thus each country keeps the right of choosing freely the measures to be taken to insure the execution of the Convention; the same offences will be punished here by a small fine, there by several days' imprisonment, and the same acts will have different consequences according to the nationality of the delinquents.

"Article VI. Prosecutions for infractions shall be instituted by the State, or in its name.

"Infractions may be verified by all means of proof allowed by the legislation of the country of the Court concerned.

"Article VII. The superintendence shall be exercised by the cruisers of the High Contracting Parties which are charged with the police of the fisheries.

"When the officers commanding these cruisers have reason to believe that an infraction of the measures provided for in the present Convention has been committed, they may require the captain or master to exhibit the official documents establishing the nationality of his vessel, and, where the case occurs, the licence. The fact of such documents having been exhibited shall then be indorsed upon them immediately.

"Further, formal statements of the facts may be drawn up by the said officers, whatever may be the nationality of the accused vessel. These formal statements shall be drawn up according to the forms and in the language used in the country to which the officer belongs; they may be used as means of proof in the country where they are adduced, and conformably with the laws of that country. The accused and the witnesses shall be entitled to add or to have added thereto, in their own language, any explanations which they may think useful. These declarations must be duly signed.

"Resistance to the directions of Commanders of cruisers, or of those who act under their orders, shall without taking into account the nationality of the cruisers, be considered as resistance to national authority.

"The Commander of the cruiser may, if the case appears to him sufficiently serious to justify the step, take the offending boat into a port of the nation to which she belongs."

In the North Sea, therefore, not only fishermen, but all sailors, will be subjected to a special superintendence. The Commander of an English, German, or Belgian cruiser will be the provisional judge of the interpretation to be applied to the Treaty; he may even without indicating the circumstances which have awakened his suspicions, stop a vessel of our mercantile marine, and inspect the ship's papers. Furthermore, it will be sufficient for him to suppose a serious offence in order to conduct the vessel back to one of our ports. As for the French captain, he will be bound to obey all the directions of the foreign officer; he will see a statement drawn up in a foreign language unknown to him, which will not be affirmed before any Magistrate, but which will be authoritative until shown to be false; in short, he will have to allow without a protest a procedure which has often been described by our jurists as contrary to the right of defence and to the respect due to the conscience of the Judge.

"Article VIII. The proceedings in respect of infractions of the provisions of the present Convention shall always take place as summarily as the Laws and Regulations will permit.

"Article IX. The High Contracting Parties will communicate to each other, at the

time of the exchange of ratifications, the Laws which shall have been made in their respective countries in relation to the object of the present Convention.

"Article X. States which have not signed the present Convention may adhere to it on making a request to that effect.

"This adhesion shall be notified through the diplomatic channel to the Government of the Netherlands, and by the latter to the other Signatory Powers."

We grant to the High Contracting Parties rights of police in the North Sea, and we undertake to recognize the same rights to all States who send in their adhesion to the Government of the Netherlands.

"Article XI. The present Convention shall be brought into operation from and after a day to be agreed upon by the High Contracting Parties.

"It shall remain in force for five years from that day, and, unless any of the High Contracting Parties shall, twelve months before the expiration of the said period of five years, have given notice of its intention to terminate its operation, it shall remain in force for one year longer, and so on from year to year.

"If the Convention of the Hague of the 6th May, 1882, respecting the police of the fisheries, shall cease to be in force, Article XXVI of the same Convention shall continue to operate as regards the object of the present arrangement."

Article XXVI of the Convention of the 5th May, 1882, grants particular advantages to one of the High Contracting Parties. Although captains of the merchant service are not raised above all private considerations by the security of their future, in Belgium they will be able to command cruizers and stop vessels of the French mercantile marine.

"Article XII. The present Convention shall be ratified; the ratifications shall be exchanged at the Hague as soon as possible, and, if practicable, within a year."

III.—OBSERVATIONS.

§ 1.—*The Convention of the Hague is contrary to the ancient traditions of our Foreign Policy.*

The principle of the liberty of the seas is now universally recognized. When ships remain away from the coasts they are subjected to no prohibition and to no tax, they are under the sole control of the authorities of the State whose flag they fly; such is the general rule.

Exceptionally, when war breaks out between Maritime Powers, or when important interests are threatened, police measures are prescribed, acts of jurisdiction authorized and even captures effected in virtue of international customs or Treaties. These maxims for the protection of rights of the weak have not always been recognized. In the seventeenth century Selden attempted to establish by historical documents the alleged right of England to the sovereignty of the seas, and his book, printed in London, was solemnly deposited in the archives of the Privy Council, the Exchequer, and the Admiralty. Later on the British Government addressed instructions to Commandants of cruizers, in which they traced in an arbitrary manner the duties to which captains of the ships of other nations should be restricted; when there was a war, they declared that the flag did not cover the goods, and that all neutral vessels would have to undergo examination. History thus shows our powerful neighbours aspiring ostensibly in the past to a dominion over the sea.

France, on the contrary, has always professed great respect for the independence of flags. In defending the interests of shipping of secondary importance, the ancient Monarchy protested against neutral vessels being searched, and sought to introduce into international law ideas thus summarized in 1778, "Free ships, free goods." Pursuing her idea of justice, the Republic inscribed on the flags of its fleet this splendid motto: "Liberty of the seas, peace to the world, equality of rights for all nations." If, since the Treaty of Paris of 1856, nearly all civilized nations have refused to issue letters of marque, and have recognized the rights of neutrals, if pretensions to the sovereignty of the seas are now considered even in London as "archæological fancies," France may claim the honour of having prepared and assured those conquests of liberty.

Being obliged by the progress of morals to give up her claim to naval despotism, England has constantly used every endeavour to obtain Treaties, giving to her numerous war-ships the police of the ocean in fact at least if not in law. Before the Proclamation of American Independence, she opposed the carrying out of a law prohibiting the importation of negroes to Virginia; then under the influence of the movement of opinion produced by the eloquent speeches of William Wilberforce, she in 1807 abolished the Slave Trade. She

soon perceived in this great measure, which was dictated by the highest philanthropy, a pretext or a means of placing the ships of the whole world under the control of her cruisers. When in 1815 she persuaded the Allied Powers to condemn the Slave Trade, she initiated and carried out various negotiations to obtain the recognition, as a principle of international law, of a reciprocal right, in times of peace, to visit ships suspected of being engaged in this guilty traffic; but the energetic resistance of the French Government and Parliament frustrated all these projects and efforts.

At the Congress of Vienna, in 1815, Talleyrand replied to Lord Castlereagh that our country would never admit any other maritime police than that exercised by each Power over its own ships. Later, at the Congress of Verona, Chateaubriand rejected the proposals made by the Duke of Wellington. "France," he said, recognizes liberty of the seas for all foreign flags, to whatever Maritime Power they belong; she only claims that independence which she respects in others, and which is necessary for her dignity." In spite of these reiterated refusals, Great Britain did not give up this long-cherished ambition, but continued to claim the right of reciprocal search; she had the good fortune to obtain its recognition by the Netherlands in 1823, by Sweden in 1824, and by France in 1831. King Louis Philippe, being anxious to conciliate the support and good-will of an old Monarchy, even sought to introduce English ideas into international law by a Treaty signed by all the Great Powers. But the importance of the concessions granted does not always insure the solidity of alliances; sacrifices too easily consented to give an impression of weakness rather than of a wish for conciliation, and those who expected to have acquired sympathy and gratitude often meet only with indifference and disdain.

While we were assisting everywhere the efforts of British diplomacy, the Government of Her Majesty Queen Victoria were opposing our influence in Egypt, and putting themselves at the head of a formidable coalition.

Then came a remarkable awakening of public opinion. In the month of January 1842 a memorable debate on foreign affairs took place in the Chamber; illustrious orators such as Billault, Dupin, Odilon Barrot, Thiers, and Berryer rose up against the right of search in time of peace; they showed that the proffered reciprocity was illusory among Powers unequal in naval strength; and established the view that any departure, however unimportant, from the ancient Rules of our public law would not only form an injury to our commercial interests, but would wound the patriotism of our sailors. After these eloquent protestations, the ratification of the Convention of 1841 was postponed, and soon afterwards the Treaties of 1831 and 1833 were denounced.

In this way Parliament maintained fifty years ago that liberty of navigation which the Government of the time seemed disposed to sacrifice, by calling up the memories of a glorious past.

At the time when British pretensions seemed about to triumph in Europe, the great cause of the independence of flags had had numerous and valiant champions on the other side of the Atlantic. Great Britain having taken into account the state of public opinion, soon abandoned the vain hope of obtaining the adhesion of the United States to the Treaty she was preparing; and in 1841 she did not claim the right of visiting an American vessel, but only the power of ascertaining that the flag was not being improperly flown. For the abolition of the Slave Trade she proposed the same measures as those which are now submitted to us with the view of suppressing the abuses caused by the liquor traffic. In spite of the most pressing appeals, and although the object to be attained was the enfranchisement of a portion of humanity, she never succeeded in obtaining authorization for a British officer to interrogate American citizens on the high seas. We hope we may be allowed to recall to your memory the severe judgment pronounced at that time against the exercise of any superintendence by cruisers on ships of a different nationality. Alluding, not to the right of search, it must be observed, but to the authorization to examine the ship's papers, the Representative of the American Union in London expressed himself in the following words:—

"This doctrine evidently tends to establish an usurpation in favour of British cruisers, inasmuch as it would grant to them the right of stopping all vessels, to whatever nation they may belong, of demanding their papers, and of judging if they can legitimately claim the benefit of the flag under which they are sailing; it is, no doubt, useless to observe that the difference which it has been attempted to establish between the right of search which is not claimed and that which is claimed, is purely imaginary; for all this comes exactly to the same thing. Moreover, the right of boarding a vessel in the high seas and in times of peace, of detaining her and deciding as to her nationality, is more odious, more insulting, and more tyrannical than what has hitherto been called the right of search, a right which can only be exercised in time of war, and which has never been applied in times of peace."

This proud reply, when read from the tribune of the Chamber in 1842, received the approval of several French statesmen, and it is certainly in conformity with the principles which various Ministers have maintained, and for the establishment of which we ought always to strive.

Treaties, however, do exist, granting to foreign cruizers, within certain well-defined regions, the right of insisting on the production of papers proving the nationality of vessels navigating under the French flag. Such are the Convention of the 6th May, 1882, relative to the fisheries in the North Sea, and the Convention of the 14th March, 1884, intended to prevent damage being done to submarine cables. But the great desire to give efficient protection to our fishermen and the pressing necessity of punishing certain crimes are enough to explain these exceptional concessions.

Moreover, some months ago, Parliament, being jealously anxious to protect the ancient rights of our maritime law, declared certain provisions adopted on the 2nd July, 1890, by the great Anti-Slavery Conference of Brussels to be unacceptable; and against the advice of a Commission whose object was to join the efforts of France to those of other Powers for the more effective suppression of the Slave Trade, Parliament opposed an examination of papers, the object of which was to prove that the operations carried on by vessels of light tonnage within a specified zone were proper ones. In virtue of reserves made by the Government at the request of the Chambers, various Articles of the Brussels Act do not bind our country.

The principle of the liberty of the seas, therefore, still remains, in spite of a few departures from it, the fundamental principle of our maritime public law. To give to foreigners, without very serious reasons, authority to control our vessels, would be obviously to favour the ancient views of our neighbours and to give up our national traditions. One such concession would inevitably lead to others; in all negotiations this bad precedent would be quoted; insignificant facts, magnified to suit the purpose of others, would be brought forward and accepted as sufficient pretexts to place almost every portion of the ocean under a special regulation. The British Government, with their numerous cruizers, would then really have the police of the ocean, and by a gradual downward slope, the old maxim of independence of navigation which France has affirmed and defended for three centuries, would finally come to be considered an obsolete idea.

Although, upon the objections of the German Delegates, the Plenipotentiaries assembled at the Hague did not sanction the right of visit and search, they have, as we have shown, given to British, German, Dutch, and Belgian officers the power of stopping all our ships, the large steamers as well as the little boats, of reading the ship's papers, of examining the muster-roll, of interrogating the sailors, of seeing offences in acts of no gravity, of drawing up formal statements which are to be authoritative until shown to be false, and, finally, of causing criminal prosecutions to be brought against our captains, and even of conducting back to port ships flying the French flag. We have sought in vain for considerations of such gravity as to justify such a superintendence of our nationals by foreigners.

§ 2.—*No advantage conceded to France can explain a departure from the fundamental principles of our Maritime Public Law.*

In demanding authority to ratify, the Government only invoke the utility of abolishing the abuses caused by the liquor traffic.

But all the acts of indiscipline, all the crimes denounced at the Conference of the Hague were committed by Englishmen and Germans. We owe to the French sailors and fishermen the admission that they have not been guilty of the excesses reprobated and condemned by the Plenipotentiaries of the High Contracting Parties. Is it just or advisable to subject them to all the rigour of severe restriction? We are of opinion that it is not.

If, after the disorderly scenes reported in 1881, Germany had no longer allowed a single floating grog-shop to leave her ports, or Great Britain had kept a vigilant watch over her fishermen, we should not have to deplore the bloody orgies which excited public indignation in 1884. Simple measures of police taken in Germany and Great Britain seem sufficient to prevent the recurrence of these deplorable scenes, and an international agreement is not absolutely necessary.

It is objected that if we do not authorize the ratification of the Treaty of the Hague, the owners of floating grog-shops will place themselves under the protection of our flag to carry on their shameful trade and that our abstention, by facilitating guilty frauds, will prevent a great and healthy measure of improvement. But at the Conference of the

Hague, certain observations made by the German Delegates showed that certain clauses of the Convention were not regarded everywhere as "absolutely inoffensive;" the Government of the Netherlands have not received, and probably never will receive, the adhesion of Sweden, Norway, Russia, and of the United States. To return to the considerations which are opposed to our views, we may say: "Unless all nations have adhered to the Convention, as long as there is one flag, Swedish, Russian, or American, which the cruizers are bound to respect, the liquor traffic will be freely carried on under that flag, and the restrictions to navigation will not produce the desired results or have any useful effect."

§ 3.—*The different Prohibitions described in the Convention are of a nature to injure our Commercial Interests.*

For some time the Boulonnais have been fitting out boats of rather large tonnage, to engage in herring and cod fishery in the North Sea; as they preserve the fish in ice, they are not obliged to come back every day to the port of registry; they visit different parts of the sea, remain several weeks away from the coasts, and make on an average five or six journeys a-year, more or less long (see the Report of Dr. Sauvage, "Bulletin du Ministère de l'Agriculture," 9th year, pp. 264 and following).

By subjecting these fishermen to fresh obligations, preventing them from buying any spirits, not allowing them to apply to any vessel whatever to get repairs executed or obtain provisions, and granting to strangers the right of applying excessively rigorous regulations, the danger will arise of creating discontent, of exciting recriminations, and of keeping boats near the coasts and causing the abandonment of expeditions which have resulted in profit, and which ought to be encouraged.

Besides this, all our vessels making for the northern ports, or returning from the latter, will be subjected to a quite exceptional superintendence. English and German officers, and even captains of the Belgian Mercantile Marine, will have the right of stopping them; and foreigners will thus have the means of throwing difficulties in the way of our ship-owners and of making large steamers lose precious time.

In the Convention no Article has been inserted to insure reparation to our commerce for errors and faults which might be committed in its execution. Years may therefore be expressed that a Commander of a cruiser may constantly insist on the production of papers, or, what would be more serious, reconduct one of our merchant-vessels to one of our ports on a futile pretext. Our mercantile marine would then be somewhat discredited, to the great advantage of foreign shipping.

We observe here, with regret, the absence of all of the clauses which we had been careful to draw up when the visiting of ships in time of peace was authorized. In the Treaties of 1831 and 1833, not only had the number of cruizers been limited, but it was stipulated that damages should lie for any visit made without a sufficient reason, that they should be fixed by the Courts of the nation of the ship visited, and that they should be paid within a year by the Government of the cruiser.

We may add that Article LIII of the Brussels Act recognized the right of an illegally arrested vessel to compensation.

It is said that no difficulties will arise, and to prove it, it has been pointed out that the Treaty of 1882 about the police of the fisheries has not produced any serious complaint up to the present time. We may recall the fact that, although during these eight years the exercise of the right of search by the English has given rise to no complaint, in 1841 a serious incident caused considerable excitement owing to an incorrect interpretation of the Treaties of 1831 and 1833. A French vessel, the "Marabout," furnished with perfectly regular papers, who started from Bahia for the coast of Africa with a cargo of oil was brought to, captured, and conducted to Cayenne by an English corvette, the "Rose."

§ 4.—*Finally, the abuses authorized by the text, if not the spirit, of the Convention, might bring about the most formidable complications.*

If the justice of the complaints of our nationals were not admitted, what should we do? Should we not be impelled to impose vexatious restrictions on foreign vessels on our part also? Such a meeting of abuses by other abuses would be a fertile source of conflict.

In the Commission of the former Chamber, one of our colleagues already expressed his fear lest the Convention of the Hague might become "the pretext of bickerings with a certain Signatory Power" and "give rise to difficulties of the utmost gravity." It

was answered that the Commanders of cruizers would exercise their mission "without enthusiasm," and that "the stipulations criticized would be most inoffensive when carried out." Without throwing doubt on the desire of all European Governments for peace at the present moment, we maintain that it is absolutely necessary to foresee all the possible consequences of the Treaty. It does not appear to us wise to assume that, in the application of the projected measures, the High Contracting Parties will always vie with one another in reserve and moderation.

In conclusion, we may be allowed to remind you that our seafaring population are animated by ardent patriotism, and attach great importance to the liberty of the seas; that they would be deeply moved and afflicted if they found captains of our vessels obliged to obey British or German guns, and to allow their papers to be examined by foreigners. Should we not soon have to deplore the occurrence of grave incidents? May we not repeat to-day the words pronounced in 1852 in the Tribunal of the Chamber?

"There is some danger in placing sailors belonging to the two flags in contact; both have preserved memories which little dispose them to friendly communications, and every time they are forced to have any communications, grave occurrences may be the result."

Recapitulation.—This Convention of the Hague, contrary to the general principles of our public law, does not respect in any way the independence of flags, and places French ships on the high seas under the control of foreign officers.

By subjecting our nationals to severe Regulations, it exposes our maritime commerce to serious restrictions. By opening a new source of international conflicts, it may cause grave complications and create real dangers for France.

The only reward for the sacrifices it imposes is the hope of contributing to a work of morality undertaken mainly for the sake of German and British seamen; but, owing to the abstention of several Maritime Powers, the abuses which have been discovered and denounced, it will be impossible to suppress them by these means.

The Commission, therefore, has the honour to propose to you the rejection of: (1) the Bill authorizing the President of the Republic to ratify the Convention signed at the Hague on the 16th November, 1887, to remedy the abuses produced by the liquor traffic in the North Sea outside territorial waters; (2) the Bill relative to the suppression of infractions of the International Convention of the 16th November, 1887, relative to the liquor traffic in the North Sea outside territorial waters.

No. 33.

The Marquis of Salisbury to the Marquis of Dufferin.

My Lord,

Foreign Office, April 27, 1892.

WITH reference to my despatch of the 9th instant, I inclose a copy of a further note from the Netherlands Minister at this Court respecting the Convention signed at the Hague in 1887 dealing with the liquor traffic in the North Sea.* I have to request your Excellency to act with Jonkheer de Stuers in the manner desired by the Netherlands Government.

I am, &c.
(Signed) SALISBURY.

No. 34.

The Marquis of Salisbury to Count de Bylandt.

M. le Ministre,

Foreign Office, April 27, 1892.

I HAVE the honour to acknowledge the receipt of your note of the 16th instant respecting the North Sea Liquor Traffic Convention, and, in reply, I beg to state that I have instructed Her Majesty's Ambassador at Paris to act with Jonkheer de Stuers in the manner desired by the Netherlands Government.

I have, &c.
(Signed) SALISBURY.

The Marquis of Salisbury to Count de Bylandt.

M. le Ministre,

Foreign Office, May 13, 1892.

WITH reference to my note of the 31st March, I have the honour to state that fresh legislation will be necessary in this country in order to give effect to the new form of arrangement proposed by the Netherlands Government in your note of the 28th March relative to the liquor traffic in the North Sea; and it is possible that a similar course may likewise be necessary in some of the other countries parties to the Convention of the 16th November, 1887.

It seems, therefore, to be worthy of consideration whether the better course might not be to proceed with the ratification of that Convention as it stands, with a proviso in the Protocol of Ratification (if France is not prepared at that date to ratify the Convention) that it does not apply as yet as regards France, and that the French ratification may take place subsequently. It may likewise be a matter for the consideration of the Signatory Powers whether a further proviso should be inserted in the Protocol of Ratification to the effect that, if an extension of this illicit trade should take place under the French flag in consequence of the non-ratification of the Convention by France, any Signatory Power which thinks fit may give twelve months' notice to terminate the Convention from the date at which such notice shall have been given.

I have to request that you will be so good as to bring these observations before the Netherlands Government, and to ask early attention to them.

I have, &c.
(Signed) SALISBURY.

No. 36.

The Marquis of Dufferin to the Marquis of Salisbury.—(Received May 16.)

My Lord,

Paris, May 13, 1892.

WITH reference to your Lordship's despatch of the 27th April, instructing me to act with Jonkheer de Stuers in regard to the Convention signed at the Hague in 1887, dealing with the liquor traffic in the North Sea, I have the honour to state that M. de Stuers communicated to me this morning the inclosed copy of the Report of the French Parliamentary Commission upon the above-mentioned Convention, which had only just reached his hands.

As your Lordship will see by the last paragraph on page 19, the Commission recommends the rejection of the Bill ("Projet de Loi") now before the French Parliament for authorizing its ratification.

The presentation of this Report to Parliament somewhat alters the situation as it existed at the time when Count de Bylandt addressed to your Lordship his letter of the 16th April, for the French Chamber may now be expected to come to some positive decision on the subject. Under these circumstances, M. de Stuers suggests that our action in the matter had better be suspended for the moment, in which view I concur.

I beg to subjoin an extract from "La Liberté," a moderate Republican paper, in which an opinion adverse to the conclusions of the Parliamentary Committee is expressed.

I have, &c.
(Signed) DUFFERIN AND AWA.

Inclosure 1 in No. 36.

Report of the French Parliamentary Commission on the North Sea Liquor Traffic Convention.

[See Inclosure in No. 32.]

Inclosure 2 in No. 36.

Extract from "La Liberté," of May 12, 1892.

QUESTIONS DU JOUR.—La prochaine rentrée de la Chambre et du Sénat appelle l'attention sur une importante question de droit international, qui va être soumise à la délibération des Députés. Il s'agit de la Convention signée à La Haye le 16 Novembre, 1887, entre la France, l'Allemagne, la Belgique, le Danemark, la Grande-Bretagne, et les Pays-Bas, pour la répression du trafic des spiritueux dans la Mer du Nord, en dehors des eaux territoriales. La Commission nommée par la précédente Législature concluait à la ratification; mais, comme l'affaire ne fut pas appelée en temps utile, la Législature actuelle nomma une nouvelle Commission qui, sans que rien ait été changé aux faits concomitants, et en vertu de la même omniscience Parlementaire, conclut au rejet.

"Depuis plusieurs années," dit le Rapporteur, "l'attention des Gouvernements Européens était appelée sur des actes d'indiscipline, sur des crimes commis dans la Mer du Nord, en dehors des eaux territoriales. Une enquête faite par des Commissaires Anglais avait démontré, dès 1880, que dans ces parages le commerce des boissons alcooliques était presque toujours exercé par des gens dépourvus de sens moral; sur des navires, qui portaient le pavillon Allemand, on se livrait à la honteuse exploitation de tous les vices; des pêcheurs venus pour acheter de l'eau-de-vie étaient retenus par des prostituées; quand l'ivresse avait troublé leur raison, tantôt ils étaient dépouillés et volés, tantôt ils commettaient des actes d'odieuse brutalité et à de scandaleuses orgies succédaient trop souvent des scènes de vol ou de meurtre. Tous ces excès avaient été dénoncés à la Conférence réunie en 1881 pour préparer un règlement international de la pêche; mais comme les Délégués de plusieurs États n'avaient pas mandat d'organiser la répression de crimes, on avait seulement inséré dans un Protocole le vœu d'un arrangement international.

"En 1884, de nouveaux vols et de nouveaux meurtres soulevèrent l'indignation publique. Un cabaret flottant, de nationalité Allemande, 'l'Anna,' fut le théâtre d'actes de violence; un autre cabaret flottant, également de nationalité Allemande, le 'Dietrich,' fut, pour ainsi dire, pris d'assaut et mis au pillage par des pêcheurs Anglais. Ce furent ces graves incidents qui décidèrent le Gouvernement des Pays-Bas à faire appel à différentes Puissances, et les Plénipotentiaires réunis à La Haye délibérèrent sous l'influence encore vive de l'émotion causée par de déplorables rixes entre Allemands et Anglais."

La partie importante du dispositif résulte des deux Articles suivants:—

"Article III. Le droit de faire le débit aux pêcheurs, d'approvisionnements et d'autres objets servant à leur usage, à l'exception des boissons spiritueuses, est subordonné à un permis accordé par l'État auquel appartient le navire. Ce permis doit comprendre, entre autres, les conditions suivantes:—

"1. Le navire ne peut avoir à bord une quantité de spiritueux supérieure à celle jugé nécessaire pour la consommation de son équipage;

"2. Tout échange des objets indiqués ci-dessus contre les produits de la pêche, objets d'armements ou engins de pêche, est interdit.

"Les navires munis de ce permis devront porter la marque spéciale et uniforme dont les Hautes Puissances Contractantes conviendront."

"Article VII. La surveillance est exercée par les bâtiments croiseurs des Hautes Parties Contractantes, chargés de la police de la pêche.

"Lorsque les officiers commandant ces croiseurs ont lieu de croire qu'une infraction aux mesures prévues par la présente Convention a été commise, ils peuvent exiger du capitaine ou du patron l'exhibition des pièces officielles justifiant de la nationalité de son bâtiment, et, le cas échéant, celle du permis. Mention sommaire de cette exhibition est faite immédiatement sur les pièces produites," &c.

C'est contre cette surveillance que le Rapporteur s'élève, et il ressuscite, à propos de cette police internationale, toutes les préventions séculaires et traditionnelles contre le droit de visite, car il voit dans la mise en pratique de la Convention la réalisation d'un plan machiavélique de la perfide Albion pour ressaisir "le despotisme des mers." Pour notre part, nous ne saurions prévoir les malheurs de si loin. La France n'a qu'à entretenir un croiseur dans la Mer du Nord pour y être aussi maîtresse que l'Angleterre, et étant donnée la fâcheuse propension des pêcheurs à l'ivrognerie, il nous paraît que c'est commettre une boucherie de lèse-humanité que de refuser de ratifier cet acte, qui ne cause de torts matériels qu'au commerce interlope des distillateurs Allemands, dont nous ferions bêtement le jeu pour le plaisir de taquiner l'Angleterre.

(Translation.)

QUESTIONS OF THE DAY.—The fact that the Chamber and Senate will shortly meet recalls our attention to an important question of international law which will be submitted

to the Deputies. The question at issue is the Convention signed at the Hague, on the 16th November, 1887, between France, Germany, Belgium, Denmark, Great Britain, and the Netherlands, for the suppression of the liquor traffic in the North Sea outside territorial waters. The Commission appointed by the preceding Legislature expressed themselves in favour of ratification; but as the matter was not dealt with in time, the present Legislature appointed another Commission which, although nothing in the original facts had changed, advised rejection, in virtue of the same Parliamentary omniscience.

The Reporter states: "For several years the attention of European Governments had been called to crimes and acts of indiscipline committed in the North Sea outside territorial waters. An inquiry held by British Commissioners had shown that ever since 1880 the trade in alcoholic liquors had almost always been carried on by persons devoid of any sense of morality; that on board vessels flying the German flag the most shameful advantage was taken of all the vices; that fishermen who came to buy spirits were detained by prostitutes, and when the reason had been disturbed by intoxication, they were sometimes stripped and robbed, or at other times they committed acts of odious brutality themselves; and that the most scandalous orgies were too often succeeded by scenes of robbery and murder. All these excesses were denounced in the Conference assembled in 1881 to prepare an international regulation of the fisheries, but as the Delegates of several States had no instructions to organize a system for the suppression of crime, nothing was done beyond an insertion in a Protocol of a wish that an international arrangement should be arrived at.

"In 1884, fresh robberies and murders excited the indignation of the public; a floating grog-shop of German nationality, the "Anna," was the scene of deeds of violence; another one, also German, was, so to speak, taken by assault and plundered by English fishermen. These grave incidents made the Netherlands Government decide to appeal to different Powers, and the Plenipotentiaries assembled at the Hague deliberated until the still powerful influence of the excitement caused by these deplorable encounters between Germans and Englishmen."

The important part of the provisions of the Convention is contained in the two following Articles:—

"Article III.—The liberty to deal with fishermen in provisions and other articles for their use (spirituous liquors excepted) shall be subject to a licence to be granted by the Government of the country to which the vessel belongs. This licence must specify the following amongst other conditions:—

"1. The vessel may not have on board a quantity of spirits greater than what is deemed requisite for the consumption of her crew.

"2. All exchange of the articles above indicated for products of the fisheries, gear, or equipments of fishing-boats, or fishing implements, is forbidden.

"Vessels provided with this licence must carry a special and uniform mark, to be agreed upon by the High Contracting Powers."

"Article VII.—The superintendence shall be exercised by the cruisers of the High Contracting Parties which are charged with the police of the fisheries.

"When the officers commanding these cruisers have reason to believe that an infraction of the measures provided for in the present Convention has been committed, they may require the captain or master to exhibit the official documents establishing the nationality of his vessel, and, where the case occurs, the licence. The fact of such documents having been exhibited shall then be indorsed upon them immediately," &c.

Against this superintendence the Reporter declaims, and he resuscitates against this international police all the ancient and traditional prejudices against the right of search, and sees in the execution of the Convention the realization of a Machiavellian plan on the part of perfidious Albion to recover the "despotism of the seas." For our part we cannot foresee misfortunes which are so distant. France has but to keep a cruiser in the North Sea to be the mistress of it as much as Great Britain, and granting the unfortunate propensity of fishermen to drink, we think that it is committing an act of sulky treason against humanity to refuse to ratify this Convention, as it only inflicts serious losses on the contraband trade of German distillers, whose game we should be stupidly playing for the sake of annoying England.

No. 37.

Count de Bylandt to the Marquis of Salisbury.—(Received May 18.)

M. le Marquis,

Londres, le 16 Mai, 1892.

J'AI l'honneur d'accuser réception de la note que votre Seigneurie a bien voulu m'adresser en date du 13 Mai dernier, au sujet des mesures que l'on pourrait prendre pour hâter la mise à exécution de la Convention signée à La Haye le 16 Novembre, 1887, pour remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord.

Je me suis empressé de transmettre cette note à mon Gouvernement.

Veillez, &c.

(Signé) C. DE BYLANDT.

(Translation.)

My Lord,

London, May 16, 1892.

I HAVE the honour to acknowledge the receipt of the note which your Lordship was good enough to address to me on the 13th instant on the subject of the measures which might be taken to hasten the carrying out of the Convention signed at the Hague on the 16th November, 1887, to remedy the abuses caused by the liquor traffic in the North Sea.

I hastened to transmit that note to my Government.

Accept, &c.

(Signed) C. DE BYLANDT.

No. 38.

Count de Bylandt to the Marquis of Salisbury.—(Received May 21.)

M. le Marquis,

Londres, le 20 Mai, 1892.

J'AI l'honneur de porter à la connaissance de votre Seigneurie que mon Gouvernement a dûment considéré les propositions contenues dans la note que votre Seigneurie a bien voulu m'adresser en date du 13 de ce mois, au sujet de la Convention du 16 Novembre, 1887, concernant le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord.

Tout en appréciant les idées pratiques suggérées dans cette note, le Ministre des Affaires Étrangères me charge en réponse de faire part à votre Seigneurie, que la Constitution Néerlandaise s'oppose à ce que son Excellence y donne suite.

La dite Convention a dû être soumise "en entier" à l'approbation des États-Généraux, conformément au second alinéa de l'Article 59 de la Constitution Néerlandaise. Cette approbation ayant été accordée par la Loi du 7 Août, 1888 (No. 123), M. van Tienhoven ne se considère point en droit de modifier maintenant, au moyen d'un Protocole, ce qui a été sanctionné par cette Loi, ainsi que par la Loi subséquente du 15 Avril, 1891 (No. 84), concernant l'application de la Convention.

La moindre modification de ces Lois, ou bien le fait d'y ajouter quoi que ce soit, c'est de toute façon rendre indispensable un nouvel appel aux États-Généraux, et la proposition de M. van Tienhoven aurait donc, entre autres, l'avantage de fournir l'occasion de révoquer la Loi actuelle en même temps qu'on obtiendrait l'approbation de la seconde Convention par une Loi nouvelle.

Il est probable du reste que l'idée suggérée par votre Seigneurie de faire certaines stipulations et réserves dans le Protocole de Ratification, rencontrerait la même objection Constitutionnelle de la part des autres Puissances intéressées dont les lois fondamentales contiennent des stipulations semblables à celles de l'Article 59 de la Constitution Néerlandaise.

M. van Tienhoven regrette par conséquent de ne pas se trouver en mesure de suivre la voie incontestablement plus simple indiquée par votre Seigneurie, et croit qu'il ne reste pour le moment qu'à attendre que les Chambres en France, qui, à ce qu'il paraît, doivent enfin avant peu prendre cette affaire en considération, se soient prononcées d'une façon définitive.

Veillez, &c.

(Signé) C. DE BYLANDT.

(Translation.)

My Lord,

London, May 20, 1892.

I HAVE the honour to inform your Lordship that my Government have duly considered the proposals contained in the note which your Lordship was good enough to address to me on the 13th instant, on the subject of the Convention of the 16th November, 1887, relative to the liquor traffic among the fishermen in the North Sea.

Although fully appreciating the practical value of the suggestions contained in that note, the Minister for Foreign Affairs instructs me to inform your Lordship, in reply, that the Constitution of the Netherlands prohibits his Excellency from acting upon them.

The Convention had to be submitted "as a whole" to the States-General for their approval, in accordance with the second paragraph of Article 59 of the Constitution of the Netherlands. That approval having been given by the Law of the 7th August, 1888 (No. 123), M. van Tienhoven does not consider that he has a right to modify at present, by means of a Protocol, what has been sanctioned by that Law as well as by the subsequent Law of the 15th April, 1891 (No. 84), relative to the application of the Convention.

The slightest alteration in these Laws, or any addition to them of any kind, would render necessary a new application to the States-General, and the proposal of M. van Tienhoven would have, among other advantages, that of furnishing an opportunity of repealing the present Law at the same time as the approval of the second Convention would be obtained by a new Law.

Moreover, it is probable that the idea suggested by your Lordship, to make certain stipulations and reservations in the Protocol of Ratification, would meet with the same Constitutional objection on the part of those of the interested Powers whose fundamental laws contain stipulations similar to those of Article 59 of the Constitution of the Netherlands.

M. van Tienhoven therefore regrets that he is not in a position to adopt the undoubtedly simpler plan suggested by your Lordship, and is of opinion that, for the present, nothing can be done except wait until the French Chambers, who, it appears, are shortly to take this matter into their consideration, pronounce a definitive opinion upon it.

Accept, &c.

(Signed) C. DE BYLANDT.

No. 39.

The Marquis of Salisbury to Sir H. Rumbold.

Sir

Foreign Office, May 28, 1892.

WITH reference to previous correspondence I transmit to you herewith, for your information, copy of the Report of the Commission of the French Chamber charged with the examination of the Bills dealing with the spirit traffic in the North Sea.*

I am, &c.

(Signed) SALISBURY.

No. 40.

Foreign Office to Board of Trade.

Sir,

Foreign Office, May 28, 1892.

WITH reference to previous correspondence I am directed by the Marquis of Salisbury to transmit to you, for the information of the Board of Trade, copy of the Report of the Commission of the French Chamber charged with the examination of the Bills dealing with the spirit traffic in the North Sea.*

I am, &c.

(Signed) JAMES W. LOWTHIER.

No. 41.

Pro-memorid communicated by Count de Bylandt, June 9.

POUR confirmer la communication verbale faite aujourd'hui par le Baron Gevers, le Comte de Bylandt a l'honneur d'informer Lord Salisbury que le Ministre des Affaires Étrangères, désirant se conformer autant qu'il lui est possible aux recommandations de sa Seigneurie propose, en cas que la France ne se décide pas à prendre part à la Convention du 16 Novembre, 1887, de s'assurer si les autres Puissances intéressées préfèrent signer une nouvelle Convention ainsi que l'avait suggéré M. van Tienhoven, ou bien si elles seront à même de ratifier la Convention, malgré l'abstention de la France, sans un appel à leurs Corps Législatifs respectifs.

Dans ce dernier cas le Ministre des Affaires Étrangères se déclare disposé à soumettre aux États-Généraux un projet de Loi tendant à autoriser le Gouvernement Néerlandais à ratifier la dite Convention, sans la participation de la France et à accepter les réserves additionnelles sur lesquelles on trouverait nécessaire de tomber d'accord.

Londres, le 9 Juin, 1892.

(Translation.)

IN confirmation of the verbal communication made to-day by Baron Gevers, Count Bylandt has the honour to inform Lord Salisbury that the Minister for Foreign Affairs, being desirous of conforming as far as possible with the suggestions of his Lordship, proposes, in case France does not decide to take part in the Convention of the 16th November, 1887, to ascertain whether the other interested Powers prefer to sign a new Convention, as suggested by M. van Tienhoven, or whether they will be able to ratify the Convention itself, in spite of the abstention of France, without appealing to their respective Legislatures.

In the latter case the Minister for Foreign Affairs declares his willingness to submit to the States-General a Bill authorizing the Netherlands Government to ratify the said Convention without the participation of France, and to accept the additional conditions on which it might be found necessary to agree.

London, June 9, 1892.

No. 42.

Pro-memorid communicated by Count de Bylandt, November 14.

POUR confirmer la communication verbale que le Baron Gevers a été chargé de faire aujourd'hui au Foreign Office, le Comte de Bylandt a l'honneur d'informer Lord Rosebery, qu'après avoir consulté les Puissances intéressées à la ratification de la Convention du 16 Novembre, 1887, le Ministre des Affaires Étrangères a pris la décision d'abandonner sa proposition de signer une seconde Convention. Son Excellence compte maintenant inviter les Puissances précitées à la signature d'un Protocole devant contenir les stipulations additionnelles devenues nécessaires par l'abstention de la France.

Ce Protocole devra néanmoins obtenir l'approbation des États-Généraux avant que le Gouvernement Néerlandais ne puisse procéder à la ratification de la Convention.

Londres, le 14 Novembre, 1892.

(Translation.)

IN confirmation of the verbal communication which Baron Gevers was instructed to make to-day at the Foreign Office, Count Bylandt has the honour to inform Lord Rosebery that after consulting the Powers interested in the ratification of the Convention of the 16th November, 1887, the Minister for Foreign Affairs has come to the decision to drop the proposal to sign a new Convention. His Excellency now intends to request the above-mentioned Powers to sign a Protocol containing the additional stipulations which have become necessary owing to the abstention of France.

This Protocol will, however, require the approval of the States-General before the Netherlands Government can proceed to the ratification of the Convention.

London, November 14, 1892.

No. 43.

Count de Bylandt to the Earl of Rosebery.—(Received January 16.)

M. le Comte,

Londres, le 14 Janvier, 1893.

J'AI l'honneur de porter à votre connaissance que le Gouvernement Néerlandais a réussi à faire tomber d'accord les Gouvernements intéressés à l'égard du texte du Protocole concernant la mise en vigueur de la Convention du 16 Novembre, 1887, pour remédier aux abus du trafic des spiritueux dans la Mer du Nord.

Ainsi que votre Seigneurie voudra bien s'en convaincre, le projet de Protocole ci-joint fixe une limite de six semaines pour la mise en vigueur de la Convention après l'échange des ratifications. Les autres changements, insignifiants du reste, et qui ont été suggérés par les autres Puissances, n'affectent que la rédaction, et j'ose espérer que le Protocole dans sa forme actuelle ne rencontrera point d'objection de la part de votre Seigneurie.

M. van Tienhoven m'a chargé, par conséquent, d'inviter le Gouvernement Britannique à faire preuve de son adhésion en signant ce document, la signature devant avoir lieu à La Haye, où les Plénipotentiaires des différentes Puissances seront convoqués aussitôt que possible.

Je serais fort reconnaissant si votre Seigneurie voulait bien me faire savoir qui sera chargé de signer le dit Protocole pour le Gouvernement Britannique, afin que le Ministre des Affaires Étrangères puisse lui communiquer directement la date à laquelle les Délégués des différentes Puissances intéressées doivent se réunir.

Veuillez, &c.

(Signé) C. DE BYLANDT.

(Translation.)

My Lord,

London, January 14, 1893.

I HAVE the honour to inform you that the Netherlands Government have succeeded, in obtaining the agreement of the Powers interested with regard to the text of the Protocol relative to the execution of the Convention of the 16th November, 1887, to remedy the abuses caused by the liquor traffic in the North Sea.

As your Lordship will see, the draft Protocol herewith inclosed, fixes a limit of six weeks after the exchange of ratifications for the execution of the Convention. The other insignificant changes, which were suggested by the other Powers, only affect the wording, and I venture to hope that the Protocol in its present form will not meet with any objection on the part of your Lordship.

M. van Tienhoven has instructed me, therefore, to request the British Government to show their adhesion by signing this document; this signature to take place at the Hague, whither the Plenipotentiaries of the different Powers will be invited as soon as possible.

I should be very grateful if your Lordship would be kind enough to inform me who will be deputed to sign this Protocol for the British Government, so that the Minister for Foreign Affairs may communicate to him the date on which the Delegates of the different Powers interested are to meet.

Accept, &c.

(Signed) C. DE BYLANDT.

Inclosure in No. 43.

Draft Protocol.

CONSIDÉRANT qu'il résulte des communications reçues par le Gouvernement des Pays-Bas que le Gouvernement de la République Française n'est pas à même pour le moment de procéder à la ratification de la Convention signée à La Haye le 16 Novembre, 1887, pour remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord en dehors des eaux territoriales, les Soussignés, Ministre des Affaires Étrangères du Royaume des Pays-Bas, et Plénipotentiaires d'Allemagne, de Belgique,

de Danemark, et de la Grande-Bretagne, réunis en conférence au Ministère des Affaires Étrangères à La Haye aujourd'hui le , et dûment autorisés à cet effet, sont convenus de ce qui suit :—

1. La Convention susdite sera mise en vigueur par les autres Gouvernements Signataires : savoir, l'Allemagne, la Belgique, le Danemark, la Grande-Bretagne, et les Pays-Bas, six semaines après qu'ils en auront échangé les ratifications.

2. La faculté d'adhérer stipulée à l'Article X de la dite Convention pour les États non-Signataires est étendue à la France.

3. Par dérogation à l'Article XI de la Convention les délais de cinq années et de douze mois sont respectivement réduits à une année et à trois mois.

4. Le présent Protocole, qui sera ratifié en même temps que la Convention à laquelle il se réfère, a été expédié en cinq exemplaires.

(Translation.)

WHEREAS it appears, from the communications received by the Government of the Netherlands, that the Government of the French Republic are unable to proceed with the ratification of the Convention signed at the Hague on the 16th November, 1887, to remedy the abuses caused by the liquor traffic among the fishermen of the North Sea outside territorial waters, the undersigned Minister for Foreign Affairs of the Kingdom of the Netherlands and Plenipotentiaries of Germany, Belgium, Denmark, and Great Britain, assembled in conference at the Ministry for Foreign Affairs at the Hague on the , and duly authorized to this effect, have agreed as follows :—

1. The above Convention shall be put into operation by the other Signatory Governments, viz., Germany, Belgium, Denmark, Great Britain, and the Netherlands, six weeks after the ratifications have been exchanged.

2. The right of adhering, stipulated in Article X of the said Convention, for non-Signatory States, is extended to France.

3. In derogation of Article XI of the Convention, the periods of five years and twelve months are reduced to one year and three months respectively.

4. The present Protocol, which will be ratified at the same time as the Convention to which it refers, has been drawn up in five copies.

No. 44.

The Earl of Rosebery to Count de Bylandt.

M. le Ministre,

Foreign Office, January 24, 1893.

I HAVE the honour to acknowledge the receipt of your note of the 14th instant, forwarding the Protocol which it is proposed should be signed by the Plenipotentiaries of Germany, Belgium, Denmark, Great Britain, and the Netherlands for the purpose of bringing into operation the Convention of the 16th November, 1887, relative to the liquor traffic in the North Sea.

I have referred this document to the Board of Trade, and shall have pleasure in making known to you as soon as possible the views of Her Majesty's Government.

I have, &c.

(Signed) ROSEBERY.

No. 45.

Foreign Office to Board of Trade.

Sir,

Foreign Office, January 24, 1893.

WITH reference to your letter of the 19th April last, I am directed by the Earl of Rosebery to transmit to you copies of correspondence, as noted in the margin,* relative to the action to be taken for bringing the Convention of the 16th November, 1887, relative to the liquor traffic in the North Sea, into operation.

I am to request that, in laying these papers before the Board of Trade, you will say that the French Government is not as yet prepared to ratify that Convention; and that, under these circumstances, the other Continental Powers parties to it wish to proceed in

the manner indicated in Count de Bylandt's note of the 14th instant; and that you will further move the Board of Trade to be so good as to state, at their earliest convenience, whether they concur in the Convention as it is now proposed to be signed.

I am, &c.
(Signed) EDWARD GREY.

No. 46.

Board of Trade to Foreign Office.—(Received January 27.)

Sir,

Board of Trade, London, January 26, 1893.

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 24th instant, in which is transmitted copy of certain correspondence on the subject of the action to be taken for bringing into operation the Convention of 1887 respecting the liquor traffic in the North Sea.

In reply to the inquiry with which your letter concludes, I am to request that you will state to the Earl of Rosebery that the Board of Trade concur in the draft of the Protocol for attaining the object in view which accompanies Count de Bylandt's note of the 14th instant.

As indicated in the letter from this Department of the 19th April last, legislation will be needful in this country for giving effect to such an arrangement, and this Department are now taking the needful steps for preparing a Bill.

I have, &c.
(Signed) A. D. BERRINGTON.

No. 47.

The Earl of Rosebery to Count de Bylandt.

M. le Ministre,

Foreign Office, January 31, 1893.

WITH reference to my note of the 24th instant, I have now the honour to state that Her Majesty's Government concur in the Protocol in connection with the Convention of the 16th November, 1887, relative to the liquor traffic in the North Sea, which you were so good as to communicate to me on the 14th of this month.

I have the honour further to state that Sir Horace Rumbold, Her Majesty's Minister at the Hague, will be Her Majesty's Plenipotentiary for the signature of the Protocol in question.

I have, &c.
(Signed) ROSEBERY.

No. 48.

The Earl of Rosebery to Sir H. Rumbold.

Sir,

Foreign Office, January 31, 1893.

WITH reference to previous correspondence on the subject of the Convention of the 16th November, 1887, relative to the liquor traffic in the North Sea, I transmit herewith a copy of a draft of Protocol which Count de Bylandt has communicated to me in connection with that Convention.*

I have stated, in reply, that Her Majesty's Government concur in the Protocol, which seems the best means to be adopted in order to bring the Convention in question into operation; and I have further announced that you will be Her Majesty's Plenipotentiary for the signature of the Protocol.

You will accordingly make known to the Netherlands Government that you have received the authorization conveyed to you in this despatch.

I am, &c.
(Signed) ROSEBERY.

No. 49.

Sir H. Rumbold to the Earl of Rosebery.—(Received February 7.)

My Lord,

The Hague, February 5, 1893.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 31st ultimo, and to state, in reply, that I have taken steps to inform the Netherlands Government that I have received the necessary authorization to sign the Protocol for bringing the North Sea Liquor Traffic Convention of the 16th November, 1887, into operation.

I have, &c.
(Signed) HORACE RUMBOLD.

No. 50.

Sir H. Rumbold to the Earl of Rosebery.—(Received February 14.)

(Telegraphic.)

The Hague, February 14, 1893.

YOUR Lordship's despatch of the 31st ultimo.

Protocol was signed this day, and will be sent home by bag 14th February.

No. 51.

Sir H. Rumbold to the Earl of Rosebery.—(Received February 16.)

My Lord,

The Hague, February 14, 1893.

I HAVE the honour to forward herewith the Protocol for bringing into operation the Convention of the 16th November, 1887, relative to the liquor traffic in the North Sea, which was duly signed at the Foreign Office here yesterday. I have already reported by telegraph the signature of the Protocol.

I have, &c.
(Signed) HORACE RUMBOLD.

Inclosure 1 in No. 51.

Convention.

Le Président de la République Française,
Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire d'Allemagne.

Sa Majesté le Roi des Belges,

Sa Majesté le Roi de Danemark,

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande,

Et Sa Majesté le Roi des Pays-Bas :

Ayant reconnu la nécessité de remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord, en dehors des eaux territoriales,

Ont résolu de conclure, à cet effet, une Convention, et ont nommé pour leurs Plénipotentiaires, savoir :

Le Président de la République Française, M. Louis-Désiré Legrand, Officier de l'Ordre National de la Légion d'Honneur, Grand' Croix de l'Ordre du Lion Néerlandais, &c., Envoyé Extraordinaire et Ministre Plénipotentiaire de la République Française à La Haye;

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, M. le Baron Jean-Antoine de Saurma-Jeltsch, Chevalier de deuxième classe de ses Ordres de l'Aigle-Rouge et de la Couronne, &c., son Conseiller Intime de Légation et Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye;

Sa Majesté le Roi des Belges, M. le Baron Auguste d'Anethan, Grand-Officier de son Ordre de Léopold, Chevalier de l'Ordre du Lion Néerlandais, Grand' Croix de l'Ordre de la

Couronne de Chêne de Luxembourg, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye; et M. Léopold Orban, Commandeur de son Ordre de Léopold, Commandeur de l'Ordre du Lion Néerlandais, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire, Directeur-Général des Affaires Politiques au Ministère des Affaires Étrangères à Bruxelles;

Sa Majesté le Roi de Danemark, M. Corneille-Marius Viruly, Chevalier de son Ordre de Danebrog, Consul de Danemark.

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, l'Honorable Sir William Stuart, Commandeur de son Ordre très distingué de Saint-Michel et de Saint-Georges et Compagnon de son très honorable Ordre du Bain, son Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye.

Sa Majesté le Roi des Pays-Bas, le Jonkheer Abraham Pierre Corneille van Karnebeck, Chevalier de son Ordre du Lion Néerlandais, &c., son Ministre des Affaires Étrangères; et M. Édouard Nicolas Rahusen, Chevalier de son Ordre du Lion Néerlandais, &c., Président du Collège des Pêches Maritimes.

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants:—

ARTICLE I.

Les dispositions de la présente Convention s'appliquent dans la Mer du Nord, en dehors des eaux territoriales, et dans les limites fixées par l'Article IV de la Convention de La Haye, du 6 Mai, 1882, sur la police de la pêche, à toute personne se trouvant à bord d'un navire ou bâtiment d'une des Hautes Parties Contractantes.

ARTICLE II.

Il est interdit de vendre des boissons spiritueuses aux personnes qui se trouvent à bord des bateaux de pêche ou qui appartiennent à ces bateaux.

Il est interdit à ces personnes d'en acheter.

L'échange de boissons spiritueuses contre tout objet et notamment contre des produits de la pêche, des objets d'armements ou des engins de pêche est défendu.

Est considéré comme boisson spiritueuse tout liquide provenant de la distillation et contenant plus de 5 litres d'alcool par hectolitre.

ARTICLE III.

Le droit de faire le débit aux pêcheurs d'approvisionnements et d'autres objets servant à leur usage, à l'exception des boissons spiritueuses, et subordonné à un permis accordé par l'État, auquel appartient le navire. Ce permis doit comprendre entre autres les conditions suivantes:—

1. Le navire ne peut avoir à bord une quantité de spiritueux supérieure à celle jugée nécessaire pour la consommation de son équipage.

2. Tout échange des objets indiqués ci-dessus contre des produits de la pêche, objets d'armement ou engins de pêche est interdit.

Les navires munis de ce permis devront porter la marque spéciale et uniforme dont les Hautes Puissances Contractantes conviendront.

ARTICLE IV.

Les Hautes Parties Contractantes s'engagent à prendre ou à proposer à leurs Législatures respectives les mesures nécessaires pour assurer l'exécution de la présente Convention, et notamment pour faire punir, soit de l'emprisonnement, soit de l'amende, soit de ces deux peines, ceux qui contreviendraient aux Articles II et III.

ARTICLE V.

Les Tribunaux compétents pour connaître des infractions aux Articles II et III sont ceux du pays auquel appartient le bâtiment inculpé.

Si des navires de nationalité différente sont impliqués dans une même infraction, les Puissances auxquelles appartiennent ces navires se communiqueront réciproquement les Jugements rendus par les Tribunaux.

ARTICLE VI.

La poursuite des infractions a lieu par l'État ou en son nom.

Les infractions peuvent être constatées par tous les moyens de preuve admis dans la législation du pays où siège le Tribunal saisi.

ARTICLE VII.

La surveillance est exercée par les bâtiments croiseurs des Hautes Parties Contractantes, chargés de la police de la pêche.

Lorsque les officiers commandant ces croiseurs ont lieu de croire qu'une infraction aux mesures prévues par la présente Convention a été commise, ils peuvent exiger du capitaine ou du patron l'exhibition des pièces officielles justifiant de la nationalité de son bâtiment, et, le cas échéant, celle du permis. Mention sommaire de cette exhibition est faite immédiatement sur les pièces produites.

En outre, des procès-verbaux peuvent être dressés par les dits officiers, quelle que soit la nationalité du bâtiment inculpé. Ces procès-verbaux sont dressés suivant les formes et dans la langue en usage dans le pays auquel appartient l'officier ; ils peuvent servir de moyen de preuve dans le pays où ils sont invoqués et suivant la législation de ce pays. Les inculpés et les témoins ont le droit d'y ajouter, ou d'y faire ajouter, dans leur propre langue, toutes explications qu'ils croient utiles ; ces déclarations doivent être dûment signées.

La résistance aux prescriptions des Commandants des bâtiments croiseurs, ou de ceux qui agissent d'après leurs ordres, est, sans tenir compte de la nationalité des croiseurs, considérée comme résistance envers l'autorité nationale.

Si le cas lui semble assez grave pour justifier cette mesure, le Commandant du croiseur aura le droit de conduire le bâtiment en contravention dans un port de la nation à laquelle appartient ce bâtiment.

ARTICLE VIII.

La procédure en matière d'infraction aux dispositions de la présente Convention a toujours lieu aussi sommairement que les Lois et les Règlements le permettent.

ARTICLE IX.

Les Hautes Parties Contractantes se communiqueront, lors de l'échange des ratifications, les Lois qui auront été rendues dans leurs États, relativement à l'objet de la présente Convention.

ARTICLE X.

Les États qui n'ont point pris part à la présente Convention sont admis à y adhérer, sur leur demande.

Cette adhésion sera notifiée par la voie diplomatique au Gouvernement des Pays-Bas, et par celui-ci aux autres Gouvernements signataires.

ARTICLE XI.

La présente Convention sera mise à exécution à partir du jour dont les Hautes Parties Contractantes conviendront.

Elle restera en vigueur pendant cinq années à dater de ce jour, et, dans le cas où aucune des Hautes Parties Contractantes n'aurait notifié, douze mois avant l'expiration de la dite période de cinq années, son intention d'en faire cesser les effets, elle continuera à rester en vigueur une année, et ainsi de suite d'année en année.

Si la Convention de La Haye du 6 Mai, 1882, sur la police de la pêche cessait d'être en vigueur, l'Article XXVI de la dite Convention continuera à sortir ses effets pour l'objet du présent arrangement.

ARTICLE XII.

La présente Convention sera ratifiée ; les ratifications en seront échangées à La Haye, le plus tôt possible, et, si faire se peut, dans le délai d'un an.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Convention et y ont apposé leurs cachets.

Fait à La Haye, en dix exemplaires, le 16 Novembre, 1887.

(L.S.)	(Signé)	LOUIS LEGRAND.
(L.S.)	(Signé)	Baron D'ANETHAN.
(L.S.)	(Signé)	LÉOPOLD ORBAN.
(L.S.)	(Signé)	STUART.
(L.S.)	(Signé)	Baron SAURMA.
(L.S.)	(Signé)	VIRULY.
(L.S.)	(Signé)	KARNEBECK.
(L.S.)	(Signé)	RAHUSEN.

(Translation.)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the German Emperor, King of Prussia, in the name of the German Empire, His Majesty the King of the Belgians, His Majesty the King of Denmark, the President of the French Republic, and His Majesty the King of the Netherlands, having recognized the necessity of remedying the abuses arising from the traffic in spirituous liquors amongst the fishermen in the North Sea outside territorial waters, have resolved to conclude a Convention for this purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Sir William Stuart, Knight Commander of Her Most Distinguished Order of St. Michael and St. George, and Companion of Her Most Honourable Order of the Bath, her Envoy Extraordinary and Minister Plenipotentiary at the Hague ;

His Majesty the German Emperor, King of Prussia, Baron Jean Antoine de Saurma-Feltsch, Chevalier of the second class of his Orders of the Red Eagle and of the Crown, &c., Privy Councillor of Legation, and Envoy Extraordinary and Minister Plenipotentiary at the Hague ;

His Majesty the King of the Belgians, Baron Auguste d'Anethan, Grand Officer of his Order of Leopold, Chevalier of the Order of the Netherlands Lion, Grand Cross of the Order of the Oaken Crown of Luxemburg, &c., his Envoy Extraordinary and Minister Plenipotentiary at the Hague, and M. Leopold Orban, Commander of his Order of Leopold, Commander of the Order of the Netherlands Lion, &c., his Envoy Extraordinary and Minister Plenipotentiary, Director-General of Political Affairs at the Ministry for Foreign Affairs at Brussels ;

His Majesty the King of Denmark, M. Corneille Marius Viruly, Chevalier of his Order of Danebrog, Consul for Denmark ;

The President of the French Republic, M. Louis Désiré Legrand, Officer of the National Order of the Legion of Honour, Grand Cross of the Order of the Netherlands Lion, &c., Envoy Extraordinary and Minister Plenipotentiary of the French Republic at the Hague ;

His Majesty the King of the Netherlands, the Jonkheer Abraham Pierre Corneille van Karnebeek, Chevalier of his Order of the Netherlands Lion, &c., his Minister for Foreign Affairs, and M. Edouard Nicolas Rahusen, Chevalier of his Order of the Netherlands Lion, &c., President of the College of Marine Fisheries ;

Who, after having communicated their full powers, found in good and due form, have agreed upon the following Articles :—

ARTICLE I.

The provisions of the present Convention shall apply to the North Sea, outside territorial waters, and within the limits fixed by Article IV of the Convention of the Hague of the 6th May, 1882, respecting the police of the fisheries to every person on board a ship or boat of any one of the High Contracting Parties.

ARTICLE II.

The sale of spirituous liquors to persons on board or belonging to fishing-boats is forbidden.

The purchase of those liquors by such persons is forbidden.

The exchange of spirituous liquors for any article, and especially for products of the fisheries, gear or equipments of fishing boats, or fishing implements, is forbidden.

Every liquid obtained by distillation, and containing more than 5 litres of alcohol per hectolitre, shall be considered a spirituous liquor.

ARTICLE III.

The liberty to deal with fishermen in provisions and other articles for their use (spirituous liquor excepted) shall be subject to a licence to be granted by the Government of the country to which the vessel belongs. This licence must specify the following amongst other conditions:—

1. The vessel may not have on board a quantity of spirits greater than what is deemed requisite for the consumption of her crew.

2. All exchange of the articles above indicated for products of the fisheries, gear or equipments of fishing-boats, or fishing implements is forbidden.

Vessels provided with this licence must carry a special and uniform mark to be agreed upon by the High Contracting Powers.

ARTICLE IV.

The High Contracting Parties engage to take, or to propose to their respective Legislatures, the necessary measures for insuring the execution of the present Convention, and especially for punishing, by either fine or imprisonment, or by both, those who may contravene Articles II and III.

ARTICLE V.

The Tribunals competent to take cognizance of infractions of Articles II and III are those of the country to which the accused vessel belongs. If vessels of different nationalities should be implicated in the same infraction, the Powers to which such vessels belong will mutually communicate to each other the Judgments given by the Tribunals.

ARTICLE VI.

Prosecutions for infractions shall be instituted by the State, or in its name.

Infractions may be verified by all means of proof allowed by the legislation of the country of the Court concerned.

ARTICLE VII.

The superintendence shall be exercised by the cruisers of the High Contracting Parties which are charged with the police of the fisheries.

When the officers commanding these cruisers have reason to believe that an infraction of the measures provided for in the present Convention has been committed, they may require the captain or master to exhibit the official documents establishing the nationality of his vessel, and, where the case occurs, the licence. The fact of such documents having been exhibited shall then be indorsed upon them immediately.

Further, formal statements of the facts may be drawn up by the said officers, whatever may be the nationality of the accused vessel. These formal statements shall be drawn up according to the forms and in the language used in the country to which the officer belongs; they may be used as means of proof in the country where they are adduced, and conformably with the laws of that country. The accused and the witnesses shall be entitled to add or to have added thereto, in their own language, any explanations which they may think useful. These declarations must be duly signed.

Resistance to the directions of Commanders of cruisers, or of those who act under their orders, shall, without taking into account the nationality of the cruisers, be considered as resistance to national authority.

The Commander of the cruiser may, if the case appears to him sufficiently serious to justify the step, take the offending boat into a port of the nation to which she belongs.

ARTICLE VIII.

The proceedings in respect of infractions of the provisions of the present Convention shall always take place as summarily as the Laws and Regulations will permit.

ARTICLE IX.

The High Contracting Parties will communicate to each other, at the time of the exchange of ratifications, the Laws which shall have been made in their respective countries in relation to the object of the present Convention.

ARTICLE X.

States which have not signed the present Convention may adhere to it on making a request to that effect. This adhesion shall be notified through the Diplomatic channel to the Government of the Netherlands, and by the latter to the other Signatory Powers.

ARTICLE XI

The present Convention shall be brought into operation from and after a day to be agreed upon by the High Contracting Parties.

It shall remain in force for five years from that day, and, unless any of the High Contracting Parties shall, twelve months before the expiration of the said period of five years, have given notice of its intention to terminate its operation, it shall remain in force for one year longer, and so on from year to year.

If the Convention of the Hague of the 6th May, 1882, respecting the police of the fisheries, should cease to be in force, Article XXVI of the same Convention shall continue to operate as regards the object of the present arrangement.

ARTICLE XII.

The present Convention shall be ratified; the ratifications shall be exchanged at the Hague as soon as possible, and, if practicable, within a year.

In witness whereof, the respective Plenipotentiaries have signed the present Convention, and have thereto affixed their seals.

Done at the Hague, in six copies, the 16th November, 1887.

(L.S.)	W. STUART.
(L.S.)	Baron SAURMA.
(L.S.)	Baron A. D'ANETHAN.
(L.S.)	LEOPOLD ORBAN.
(L.S.)	C. M. VIRULY.
(L.S.)	LOUIS LEGRAND.
(L.S.)	v. KARNEBEEK.
(L.S.)	E. N. RAHUSEN.

Inclosure 2 in No. 51.

Protocol signed at the Hague, February 13, 1893.

CONSIDÉRANT qu'il résulte des communications reçues par le Gouvernement des Pays-Bas que le Gouvernement de la République Française n'est pas à même pour le moment de procéder à la ratification de la Convention, signée à La Haye, le 16 Novembre, 1887, pour remédier aux abus qu'engendre le trafic des spiritueux parmi les pêcheurs dans la Mer du Nord en dehors des eaux territoriales, les Soussignés, Plénipotentiaires de la Grande-Bretagne, d'Allemagne, de Belgique, de Danemark et Ministre des Affaires Étrangères du Royaume des Pays-Bas, réunis en Conférence au Ministère des Affaires Étrangères à La Haye aujourd'hui, le 14 Février, 1893, et dûment autorisés à cet effet, sont convenus de ce qui suit :—

1. La Convention susdite sera mise en vigueur par les autres Gouvernements signataires, savoir : la Grande-Bretagne, l'Allemagne, la Belgique, le Danemark, et les Pays-Bas, six semaines après qu'ils en auront échangé les ratifications.

2. La faculté d'adhérer stipulée à l'Article X de la dite Convention pour les États non-signataires est étendue à la France.

3. Par dérogation à l'Article XI de la Convention les délais de cinq années et de douze mois sont respectivement réduits à une année et à trois mois.

4. Le présent Protocole, qui sera ratifié en même temps que la Convention à laquelle il se réfère, a été expédié en cinq exemplaires.

(Signé)

HORACE RUMBOLD.
K. DE RANTZAU.
Baron d'ANETHAN.
C. M. VIRULY.
VAN TIENHOVEN.

(Translation.)

WHEREAS it appears, from the communications received by the Government of the Netherlands, that the Government of the French Republic are unable at present to proceed with the ratification of the Convention signed at the Hague on the 16th November, 1887, to remedy the abuses caused by the liquor traffic among the fishermen of the North Sea outside territorial waters, the undersigned Plenipotentiaries of Great Britain, Germany, Belgium, Denmark, and the Minister for Foreign Affairs of the Kingdom of the Netherlands, assembled in Conference at the Ministry for Foreign Affairs at the Hague, to-day, the 14th February, 1893, and duly authorized to this effect, have agreed as follows:—

1. The above Convention shall be put into operation by the other Signatory Governments, viz., Germany, Belgium, Denmark, Great Britain, and the Netherlands, six weeks after the ratifications have been exchanged.

2. The right of adhering, stipulated in Article X of the said Convention, for non-Signatory States, is extended to France.

3. In derogation of Article XI of the Convention, the periods of five years and twelve months are reduced to one year and three months respectively.

4. The present Protocol, which will be ratified at the same time as the Convention to which it refers, has been drawn in five copies.

(Signed)

HORACE RUMBOLD.
K. DE RANTZAU.
Baron d'ANETHAN.
C. M. VIRULY.
VAN TIENHOVEN.

FURTHER CORRESPONDENCE respecting the Ratification of the North Sea Liquor Traffic Convention of November 16, 1887.

[In continuation of "Commercial No. 5 (1888):"
C. 5263.]

Presented to both Houses of Parliament by Command of Her Majesty. May 1893.

LONDON:

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COMMERCIAL. No. 2 (1893).

REPORTS

FROM

HER MAJESTY'S REPRESENTATIVES

ON THE

MANUFACTURE OF FUEL, MOSS LITTER, AND OTHER
PRODUCTS OF PEAT IN EUROPEAN COUNTRIES.

*Presented to both Houses of Parliament by Command of Her Majesty.
March 1893.*

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*Circular addressed by the Marquis of Salisbury
to Her Majesty's Representatives at The
Hague, St. Petersburg, Stockholm, Copen-
hagen, Berlin, and Paris.*

My Lord,

Sir,

Foreign Office, July 22, 1892.

I HAVE to request you to obtain such information as you may be able to procure with regard to the manufacture of fuel, moss litter, and other products from peat, in

It may be well to ask Consular Officers in localities where this industry is followed to supply you with any information they can collect. Such Reports should be summarized at Her Majesty's Embassy [Legation], and sent home in a form suitable for publication in a Parliamentary Paper.

[*I am informed that this industry is followed at the Royal Prussian Turbary at Linane, 35 miles from Berlin, and also at Friesach, on the Berlin and Hamburg Railway.]

I am, &c.

(Signed) SALISBURY.

Replies to preceding Circular.

DENMARK.

No. 1.

Sir H. MacDonell to the Earl of Rosebery.—(Received September 14.)

My Lord,

Copenhagen, September 12, 1892.

WITH reference to the Marquis of Salisbury's Circular of the 22nd July last, instructing me to obtain such information as I might be able on the manufacture of fuel, moss litter, and other products from peat, in Denmark, I have now the honour to transmit to your Lordship a short Report on the subject by Mr. Leech.

I have, &c.
(Signed) H. G. MACDONELL.

Inclosure in No. 1.

Report on the Manufacture of Fuel, Moss Litter, and other Products from Peat, in Denmark.

IN the Province of Jutland, where the peat moors extend over an area of some 90 English square miles, or one twenty-fifth of the area of the province, efforts have been made to turn this produce to profitable account.

All the different modes invented during the past forty years for the treatment of peat have been tried in Denmark, and have been given up as impracticable, unprofitable, or both. Expensive experiments have been carried out at Silkeborg and Moseland within recent years, but with no appreciable results.

In fact, peat may be said to be used merely for fuel, the people cutting sufficient for their own consumption.

In some of the inland towns in close proximity to larger moors there still exists a certain demand for peat, but at seaports it seems never to have been able to compete with coal, the specific heating power being too low as compared with that of coal to enable the

peat to pay the expenses connected with transport to any distance. Peat for fuel is either simply cut and dried, undergoing no further treatment ("Skoretörv"), or it is kneaded together, and subsequently cut into regular shapes for fuel, called "Oltetörv." In this latter shape, as in the former, it does not pay the cost of transport to any distance.

To the north of the Limfjord at Lundergaard Mose, the Aalborg Mosstroelsefabrik formerly employed some fifty to seventy men in cutting peat, which was used by the railway authorities for heating their carriages. This method of heating having now given place to steam, the occupation has ceased, and a moss litter factory has taken its place.

This litter is not prepared from the peat proper, such as is used for fuel, but from the uppermost layer ("Hundekjöd") of the moor, consisting of a light, smooth, fibrous substance, which is dried and converted into moss litter by means of a machine of 12-horse power, and the assistance of thirteen men; the machine being supplied by R. Dolberg, of Rostock, Germany, and 15 tons of litter being produced per day.

This same factory prepares peat for hygienic and sanitary purposes, for which objects the peat is first dried, and then broken up and ground fine.

Copenhagen, September 12, 1892.

No. 2.

Sir F. Denys to the Earl of Rosebery.—(Received December 31.)

My Lord,

Copenhagen, December 29, 1892.

As the matter may be of interest in connection with Sir Hugh MacDonell's despatch of the 12th September relative to the manufacture of peat, moss litter, &c., in Denmark, I have the honour to inform your Lordship that moss litter has been most effectively tried at the stables of the Copenhagen Milk Supply Company.

The system under which it is there used is the following: Each stall is constructed with a hollow lined with cement 3 inches deep below the level of the floor paving. This is filled with the litter. About an inch in depth is removed daily from the surface, the fresh supply being laid at the manger end, while the supply of the day before is raked from the head to the hinder end.

The litter so removed forms most excellent manure.

The peat-moss litter is delivered in compressed bales of 150 lbs. each, and care must be taken that it should be almost free from any moisture in order that it may be able better to absorb all moisture when in use.

The Company in question keep fifty horses. Though it is customary in Denmark to take but little care in grooming horses and keeping stables clean, and though there is no drain whatever in the

stable in question, no trace of ammonia and hardly any unpleasant smell could be detected.

The manager, Herr Busck, informed me that the litter for the fifty horses cost the Company 100*l.* a-year, or 2*l.* a horse per annum.

The use of this article, for sanitary and economical reasons, in large towns and for cavalry barracks, cannot be over-estimated, and since the same quality of peat exists in Great Britain, this industry should certainly be capable of great development.

I may add that the peat so used is that lying immediately between the sod and the black peat used for fuel.

The peat moss hitherto employed by the Company comes from Sweden, but it has recently been produced for market in Jutland.

I am further informed that the peat in the neighbourhood of Doncaster is being worked for this purpose.

I have, &c.

(Signed) FRANCIS DENYS.

FRANCE.

No. 3.

*The Marquis of Dufferin to the Earl of Rosebery.—(Received
October 3.)*

My Lord,

Paris, September 26, 1892.

WITH reference to Lord Salisbury's Circular of the 22nd July last, I have the honour to forward to your Lordship such information as it has been possible to gather with regard to the peat industry in France.

From the Reports received from Her Majesty's Consuls, it appears that the peat industry does not exist to any appreciable extent in the Consular districts of Brest and Cherbourg; a small quantity of peat is cut for the purposes of fuel, and in that of Marseilles turf is also used for burning in the neighbourhood of Lyons, but there appears to be no appreciable commerce.

In the district of Calais, again, it is reported that there is no manufacture of moss litter from peat, while the quantity cut by the peasantry has been for many years on the decrease, and, in 1890, 573 cubic metres only were cut at Condette and in the district of Montreuil, some 5,000 cubic metres in seventeen communes, while, though there are peat bogs in the Department of the Nord, no turf was cut in 1889 or in 1890. A small quantity is also cut in the Department of the Somme.

As regards South-western France, Mr. Consul Ward reports that there are peat bogs of more or less limited extent in all the Departments forming the Consular district of Bordeaux, from which peat is extracted for fuel, but the production is confined to local consumption. In the district of the Charente some 7,000 tons are cut annually, but the amount is far less than in former times. But the only use to which the peat is applied on the spot is for fuel. The Bordeaux Tramway Company, which tried the experiment of peat moss for litter, has now abandoned the use of it, partly because of the difficulty of disposing of the manure, and partly because the litter, which was sold to them by weight, was frequently supplied in a damp condition, which considerably reduced its utility.

In Paris there are four or five firms which supply peat for fuel. There is, however, one important enterprise, the Company known as "La Béraudine," founded by M. Béraud for working his patents, and manufacturing a number of articles from peat fibre, including litter, disinfecting media, blankets, carpets, and rugs, mattresses, antiseptic food, preserving material, manure, &c.

I have the honour to inclose a Report by Mr. Atlee, Her Majesty's Consul at Paris, on the products manufactured by this Company, with descriptive pamphlets and specimens of the fibre and fuel produced.

I have, &c.
(Signed) DUFFERIN.

Inclosure in No. 3.

Consul Atlee to the Marquis of Dufferin.

My Lord,

Paris, August 22, 1892.

WITH reference to Mr. Phipps' despatch of the 6th instant, instructing me to report such information as I might be able to obtain regarding the manufacture of fuel, moss litter, and other products from peat in my Consular district, I now have the honour to report to your Excellency that the ordinary produce from peat is stable litter obtained from the upper growth and moss. This branch of the trade is carried on by only a few firms, and I am informed that a certain quantity of such produce is used in the barracks and other State Departments in France.

Under the name of "La Béraudine," a Company founded by M. Béraud for working his patents and improvements in the manufacture of articles derived from peat fibre, is established at 8, Rue Saint-Martin, Paris. This Company supplies about eight different articles to the French Government, chiefly mattresses, blankets, saddle-cloths, &c., but the number of articles manufactured from the fibre obtained by M. Béraud's process is very great, and comprises nearly all those in which felt has hitherto been used, with this important difference, that the articles are made from a woven fabric, and not from a brittle material like felt.

The Company does not manufacture at present, but is about to set up a factory for utilizing the refuse for producing peat fuel or charcoal, which, it is stated, can be produced at about 50 per cent. cheaper than the "briquettes" now in use made from coal-dust, &c.

The Company has taken out patents in every country for the protection of the manufacture of all derivatives from peat, except moss litter, and has a registered office in London, the Managing Director being Mr. E. H. Cannot, of 1, Garden Court, Temple.

The various patents are taken out in the name of the Company, and in that of Mr. Cannot.

I have the honour to inclose two samples of peat fibre. The finer quality is used for mattresses supplied to the Government barracks, hospitals, &c.; the coarser is chiefly used for stuffing boxes, coffer dams, &c.

I also inclose a specimen of the charcoal.

The manufacture of all products of peat, except litter, is exclusively reserved under the patents to the Company "La Béraudine."

I have, &c.
(Signed) FALCONER ATLEE.

GERMANY.

No. 4.

Sir E. Malet to the Earl of Rosebery.—(Received December 17).

My Lord,

Berlin, December 10, 1892

WITH reference to Lord Salisbury's Circular despatch of the 22nd July last, I have the honour to transmit to your Lordship herewith a Report drawn up by Mr. Whitehead upon the manufacture of fuel, moss litter, and other products from peat, in Germany.

Mr. Whitehead has derived great assistance in this matter from an able Report on the subject forwarded to Mr. Trench by Mr. Wilfred Powell, Her Majesty's Consul at Stettin.

I have, &c.

(Signed)

EDWARD B. MALET.

Inclosure in No. 4.

Report on the Manufacture of Fuel, Moss Litter, and other Products of Peat, in Germany.

I.—Introductory.

THE area covered by peat bogs ("Torfmoore") in Germany is very extensive, especially in the northern provinces of Prussia, and the Grand Duchy of Oldenburg, but a small part only of this area is Government property, and no statistics of any sort are available as to the actual acreage and production. Almost all these moors are worked locally for fuel peat, and the manufacture of moss litter is also very widely spread, being carried on in East Prussia, Pomerania, Posen, Silesia, Hanover, Oldenburg, Wurtemberg, Saxony, and Bavaria.

The peat bogs belonging to State domains in Prussia, of which a large number exist, are generally worked by the Government Forest Department; many of them, however, are let for a term of years to private individuals, the lease being usually made out for thirty years or more, and the tenant having the right, and in some cases assuming the obligation, of removing all the peat during that time, thus preparing the land for agricultural development.

An important moor under State management, and within a short distance of Berlin, is that at Carolinenhorst, near Stettin. It

covers an area of about 2,000 acres, and is administered by the Finance Department of the Government of Stettin. Even in this case, however, although the peat cut for fuel is sold by the State authorities, the manufactory of moss litter is let to a private *entrepreneur*.

A notable private undertaking of the kind is that of Herr Rottbarth, at Gifhorn, in the Province of Hanover, where both peat fuel and moss litter are produced on an extensive scale.

The two moors above mentioned would probably be the most convenient for any person to visit who desired to study the manufacture of moss litter and other peat products in detail.

The principal products obtained from peat are:—

1. Fuel, including turf coal and turf coaks.
2. Moss litter.
3. Peat dust ("Torfmull"), for disinfecting purposes, &c.
4. Coarse textile fabrics, paper, and various chemical products.

II.—*Peat Fuel.*

The use of peat as fuel is universal in the neighbourhood of the moors, but is generally local. It cannot compete with coal for cheapness in any districts near the seaports, or near towns which have railway communication.

Peat for fuel cannot pay railway freight for more than 20 miles from the place where it is cut, and very little is ever conveyed by rail. The rate charged is about 9s. per load of 9,600 sods of peat for 10 miles.

There are no available statistics either in Prussia or the other peat-producing States as to the amount consumed, but considering the wide distribution of peat bogs throughout the country, it is probably very great. It is estimated, for instance, that in the Grand Duchy of Oldenburg alone about 150,000 tons of peat are burnt per annum, chiefly for household purposes, but also in baking-ovens, brick-kilns, &c.

The following is the method of obtaining peat for fuel followed at Carolinenhorst, which may be taken as a fair example of the system generally employed.

The turf is cut by gangs of four; one man cutting from the top with a sharp-cutting spade, square ended. The second cuts from the side following the first man, and at the same time dividing the turf into lengths as he goes on. This is usually done with a round-ended spade, in the shape of a turf-cutter, or whale-spade, but sometimes, though rarely, a three-sided square ended spade is used, somewhat in the shape of a brick mould without the fourth side. The third man follows the second, and takes the sods out with a four-pronged fork, the handle of which is bent upwards to an angle of 45°, and lays them in rows on the moor behind the cutting.

The peat is cut to a depth of 3 to 5 yards. The whole of this

stratum is good with the exception of 2 or 3 inches of the upper soil, which is thrown into the cuttings already made, and yields good agricultural soil when the moor has been exhausted of peat.

No machines are used on the Government moors in Pomerania for cutting fuel peat, but they have been employed on private moors where labour is scarce. The cost of production is not sensibly reduced by machine-cutting.

The best peat for burning is generally that which lies undermost, the upper layer, to a depth of 4 ft. 6 in., being used (where it is of suitable quality) for moss litter; all beneath that depth for burning.

At Carolinenhorst the peat is always dried in the open air, all other methods having proved too expensive. An attempt was made at Gifhorn to dry the peat artificially in an apparatus invented by Herr Rottbarth, but as the system was abandoned after a very short trial, it appears not to have been a success.

The peat dries best in the spring and early summer, and when once dry it is not much injured by rain, which runs off. The drying takes on an average four months, but much of course depends upon the weather. The cutting is commenced at the end of March and continues until the middle of May, six to eight weeks. The drying lasts from the middle of May to the beginning of August—ten to twelve weeks.

The stacking is carried out in the following manner:—

One cubic metre of turf yields 400 sods of peat, which, as they are cut, are laid in rows as before described. Then the women employed for stacking take the wet sods from the rows and stack them in pyramids 6 feet long by 3 feet broad and 6 feet high, each pyramid representing 3 cubic metres of peat, or 1,200 sods. The sods in these stacks are not laid close together, but with a space between each of the first layer, which space is covered by the succeeding layer, and so on.

The peat is sold in these stacks or pyramids when dry from the beginning of August to the middle of September, according to the weather. The pyramids are called "Klafter," and are classed for sale in the following manner:—

The 1st class is the dark peat, approaching to coal, which is usually cut from the lowest stratum, and is heaviest. It shrinks most in the process of drying, a fresh sod when cut measuring 13 inches in length by 10 inches high and broad. This class of peat burns slowly, and when fifteen sods are burned in a closed stove, they will leave about a large wineglass full of white ash.

The 2nd class is lighter in colour and weight, and is a newer formation.

The 3rd class is the top stratum, and is of least value except in those cases where it is suitable for the manufacture of moss litter. These lower classes of peat leave more ash in burning. In some places, these differences in the quality of peat taken from the top or the bottom of the stratum do not occur, the moss being uniform throughout.

The peat is sold by auction (at Carolinenhorst), and fetches as a rule:—

1st class ..	..	..	14s. per "Klafter" of 1,200 sods.
2nd class ..	..	..	10s. " "
3rd class ..	..	..	8s. " "

The moor at Carolinenhorst employs about 500 men and women for cutting and stacking peat, chiefly for fuel.

The average amount earned by a man at this work is from 4s. to 4s. 6d. per day, but they are paid according to the amount cut. The women are paid about 3½d. for every cubic metre stacked.

According to the general statistics of the German Empire, fuel peat was exported from Germany as follows:—

		Tons.	
1886 ..	..	121,424	(includes exports to German free ports).
1887 ..	..	116,713	" "
1888 ..	..	82,300	(including 71,116 tons to free ports, and 11,184 tons to foreign countries).
1889 ..	..	12,056	to foreign countries.
1890 ..	..	11,819	" "
1891 ..	..	11,457	" "

The greater part of this exportation goes to Switzerland from moors situated near the frontier. During the year 1891, 13,073 tons of fuel peat were imported into Germany.

III.—*Moss Litter.*

It is probable that in districts where peat was used as fuel the refuse of the turf was used long ago as litter, and for manuring purposes. This presumption is amply proved by writings which were published in Germany at the beginning of this century upon the uses of peat.

The most primitive method of obtaining moss litter known on the higher moors of North-western Germany for many years consists in ploughing up and harrowing the soil immediately underlying a surface covered with moss turf (after burning off the heather). This is commenced in the late autumn; in the spring the surface is again harrowed, and, when thoroughly dry, is thrown into heaps, the process being repeated as often as the weather will admit of each addition to the heap becoming thoroughly dry.

This method is very simple and inexpensive, but the product is not of sufficiently good quality, and contains too great an admixture of earth and dust to be marketable. It can only be used on the spot.

These disadvantages were removed by a process invented by M. Hollmann, of Zappenburg, near Gifhorn, in the year 1878, which process (described below) proved so successful that he established a moss-litter manufactory at Gifhorn in 1879–80, and others in Oldenburg, Hanover, and Holland a year or two later.

The deficiency of straw in the harvest of 1881 gave a great impetus to the manufacture of moss litter, and as Hollmann had not been able to obtain a patent for his process, a great number of enterprises for developing the new trade were started, mostly in Hanover, and some even in England.

According to an Official Report of the Hanoverian and Oldenburg Railway Administration, about 21,878 tons of moss litter was dispatched from stations on that railway during the year 1882.

A large portion, if not the greater part, of this production was exported to England and America, where the advantages of moss litter for city stabling were appreciated much sooner than was the case in Germany.

Over-production, however, soon set in, and this, together with good straw harvests, and a prejudice against moss litter, induced by the inferior quality of the product supplied by some of the new manufactories, produced a reaction from which the trade hardly appears to have recovered even at the present day. With regard to the Grand Duchy of Oldenburg, for instance, it is estimated that during the earlier part of the last decade the quantity of moss litter manufactured reached 15,000 to 20,000 tons per annum, but the output has been decreasing year by year, and now barely attains 5,000 tons, of which about one-quarter is said to be exported to the United Kingdom.

According to the general statistics of the foreign trade of the German Empire, moss litter was exported from Germany as follows:—

		Tons.	
1886 ..	..	14,245	
1887 ..	..	17,497	
1888 ..	..	15,614	(the above include exports to German free ports).
1889 ..	..	7,521	(to foreign countries).
1890 ..	..	6,545	" "
1891 ..	..	6,092	" "

The importation of moss litter into Germany during 1891 amounted to 30,476 tons.

The exportation of moss litter from Germany to the United Kingdom from 1885 to 1891 was as follows:—

Year.	Tons.	Value.
		£
1885	9,182	12,650
1886	10,155	11,400
1887	9,484	10,700
1888	9,245	10,400
1889	4,678	6,100
1890	Not mentioned.	
1891	3,076	..

A great difficulty is encountered in the wet summers, which are not unfrequent in the north of Germany. The loose, stringy moss turf takes some time to dry thoroughly, and, unlike black peat, absorbs on damp days a great deal of moisture, so that in some years it proved almost impossible to obtain a sufficiently dry material for the manufacture of moss litter without applying artificial heat, which, again, is much too dear. Hence, imperfectly dried moss litter was sometimes placed on the market, and damaged the reputation which the article had already attained.

The best material for the production of moss litter is formed by the upper strata of the "Hochmoore" (high bogs), which cover considerable areas in Hanover, Oldenburg, East and West Prussia, and Pomerania. The natural vegetation of these bogs consists of moss, together with various grasses and heather (*Eriophorum*, *Calluna vulgaris*, *Erica tetralix*, *Andromeda*, *Ledum*, *Empetrum*, *Vaccinium*, and *Sphagnum cymbifolium*). The decomposed remains of these plants form a dark soil overlying the yellowish-brown layers of moss peat, which often attain a thickness of several yards, and in their turn overlie the older and darker peat which is used as fuel.

The characteristic of the strata suitable for the production of moss litter is that in them the process of decomposition is incomplete, and that they form an extremely porous and elastic substance, which is capable of absorbing water like a sponge. In the process of drying this material contracts very little, and consequently remains soft and elastic.

It has been found that an ordinary peat sod which has been exposed to severe frost does not contract to the same extent in drying, and remains comparatively soft and elastic. Hence an inferior quality of litter may be produced even from peat strata which would not otherwise be suitable by allowing them to freeze through before drying. The result cannot compete, however, with real moss litter.

The success of the moss litter industry in North-western Germany induced the owners of peat bogs in other parts of the country to attempt the manufacture of a similar product from strata which appeared suitable, even if not composed of moss peat. Among others the Royal Forest authorities at Schussenried, in the Kingdom of Wurtemberg, found in the extensive bog near that place a layer of only partially decomposed remains of a reed bed, underlying black peat. This was manufactured into litter by Hollmann's process, and although the product did not quite possess the softness and elasticity of moss litter, yet it was undoubtedly superior to many materials which are commonly used in stables.

The outlines of Hollmann's system of manufacturing moss litter are briefly as follows:—

The moss peat is cut out of the bog in sods, in precisely the same manner as fuel peat. The autumn and early winter are chosen for this work, so as to allow the moss peat to freeze before drying (see above). It is dried in stacks in the open air. At

Carolinenhorst about $6\frac{1}{2}$ acres, 58 inches deep, are cut each season, and yield about 3,000 tons of moss litter.

The sods, when dry, are taken to the factory, placed in elevators, and carried to a machine called the "Wolf," which tears them into small fragments. The mass thus produced is passed over sieves, to separate the peat dust ("mull") from the fibrous substance which forms the litter. It is then brought into a press which (in the case of Carolinenhorst) is 10 feet high by $2\frac{1}{2}$ feet square. The pressure employed is about 4-horse power, and 6 cubic feet of the loose material are pressed into a space of 2 cubic feet, being then baled with six to ten laths of wood and bound round with iron wire. It is then ready for the market, and is valued at 1s. per cwt. at the railway station.

The moss-litter factory on the Carolinenhorst moor employs fourteen to sixteen hands, of which one-third are women, the working day being ten hours. An adult workman is paid about $2\frac{1}{2}d.$ per hour, a young man $2d.$, and a woman $1\frac{1}{2}d.$

One of the most important points to be observed in working a moor for moss litter is that it should be drained as well as circumstances will permit before the cutting is commenced. If this is not done properly the labour required is very considerably increased, as with every sod of peat an amount of water exceeding its own weight is raised to the surface.

The drains cannot, in wet bogs, be cut down to their full projected depth at once, but must be deepened at intervals of time as the superior strata become drier and harder. If this is not observed, the banks of the drains are liable to give way, and rifts and flaws are formed in the peat which render the subsequent working much more difficult.

The method of cutting moss peat is exactly the same as that described above for peat fuel. As, however, the moss peat is more difficult to dry, having a greater power of absorbing moisture, it is not stacked at the edge of the cutting, but is carted to a suitable drying ground. For this a well-drained and naturally dry spot must be chosen, so that the peat should not absorb moisture from the ground. The construction of absolutely dry stacking grounds, with wooden floors or planking, has been found much too expensive; and attempts to dry the sods artificially, or at least in covered sheds, have also failed for the same reason.

Hot-air chambers or ovens for drying moss peat have been tried by Herr Rottbarth at Gifhorn, by the Britannia Moss Litter Company at Doncaster, and by Herr Coyet at Römeholm, in Sweden; but in all three cases the attempt has been abandoned.

The first machine for tearing up the sods of moss peat ("Reisswolf") was constructed by Hollmann, and consisted of a plain wooden cylinder set with nails, and revolving at the bottom of a feeding box shaped like an inverted pyramid.

An improved apparatus of this kind is manufactured by the firm of J. Haye and Etzhorn, in Oldenburg, and consists of a cylindrical drum about 18 inches in diameter, and 2 feet to 2 feet

6 inches in length, set with sharp and pointed pins which pass close to an iron rail fixed on one side of the box as the drum revolves. This machine is constructed so as to manipulate up to 30 tons of moss peat per day. The smallest machine made will work 150 cwt. in a-day, requiring one horse-power to drive, and two men to serve it. The price of the latter machine is about 8*l*.

Further improvements in machines of this kind have been made; some of them combining with the "Wolf" a sieve for separating the dust from the fibre.

The sieves generally used for this purpose are made of wire netting, with meshes of from $\frac{1}{8}$ to $\frac{1}{4}$ of an inch. They are either stretched on a frame which is shaken by a horizontal motion, or are made in a cylindrical form, and revolve as the moss peat is pushed through them. The latter system requires a less expenditure of force, but does not separate the peat dust so effectually.

The pressing of moss litter into the smallest possible compass and the most convenient shape is an important condition of its transportation to distant markets. In Oldenburg and Hanover simple lever presses are used, but these have been made so powerful, that an ordinary large railway truck (as used on the Prussian lines) will now take 10 tons of pressed litter. This, however, can only be attained by the use of steam-power.

The vertical presses made by the firm of R. Dolberg, in Rostock, will produce with hand labour about forty bales of 3 cwt. each per day (price of the press 25*l*.), or with steam-power sixty to ninety bales of 3 cwt. each (price of steam-press 70*l*.).

The "Lüneburger Eisenwerk" manufactures horizontal presses, which can be used with advantage in buildings of one storey, and are said to require less power. Presses of this kind are employed at Gifhorn, in Hanover, and at Haspelmoor, in Bavaria.

It is claimed for moss litter that:—

1. It affords drier and healthier bedding for horses and cattle than any other material.
2. That in consequence of its great power of absorbing moisture it binds the valuable portion of the animal excrements, and, consequently, yields the best manure.
3. That it acts as a disinfectant, and improves the air of the stable.
4. That a smaller quantity of it is required than would be needed if straw were used.

The published results of experiments and longer experience in the use of moss litter are not entirely consistent. In general, however, they are favourable, especially where horses and horned cattle are concerned; and cases of sickness consequent upon its use can be traced as a rule to negligence or the use of damp litter.

The following is an extract of a Report on the use of moss litter in the stables of the Prussian Regiment of Uhlans (Lancers) No. 14, which seems entirely favourable:—

"The regiment has used moss litter as a substitute for straw with the object of obtaining better and drier beds for the horses,

and reserving the fresh straw for food. This object was attained with complete success. For experimental reasons the horses were not all placed on moss litter at once.

"In October one-third were placed on moss litter.

"In November two-thirds were placed on moss litter.

"In December nearly all were placed on moss litter.

"The following advantages were observed:

"Dry beds and dry fresh air free from ammonia; the ceilings, walls, and leather trappings remained free from moisture and mould. Moss litter absorbs eight times its own weight of urine, whereas straw absorbs only three times its own weight. The short and broken nature of the moss fibre allows of the easy removal of the wet portions. Care must be taken not to neglect to turn and shake up the litter every day, and to fork it from one part of the stall to another.

"If these precautions are observed the animals find a dry bed, the horses remain clean, and their skin in activity. If properly treated, moss litter is far more elastic than straw, and affords a more comfortable bedding. The harness and saddles, as well as the boots of our soldiers, are better preserved.

"From a veterinary point of view, further advantages are observed. Catarrhs of the nose and eyes, generally the result of bad air in the stables, are less frequent; wounds on the legs heal quicker; inflammation of the glands very seldom occurs, and rotting of the frog is almost entirely prevented. In cases of contagious disease moss litter is of great value, and surpasses all other disinfectants.

"Cases of colic occurred as follows:—

"October 1881	$\frac{1}{3}$ of horses on moss ..	1	$\frac{2}{3}$ on straw ..	14
November 1881	$\frac{2}{3}$ " " ..	0	$\frac{1}{3}$ " " ..	21
December 1881	Nearly all " ..	1	A few on straw ..	1
January and February 1882	All " ..	0		
	On moss ..	2	On straw ..	36

"The consumption of moss litter per month and per squadron of 135 horses amounted to 180 cwt., against 280 cwt. of straw formerly required.

"Up to this date, in all a period of eighteen months, the regiment has used moss litter to its perfect satisfaction.

"*Hanover, April 1883.*"

Herr Vibrans, of Wendhausen, has published in several papers his experience of moss litter as a preventive of foot and mouth disease. For this purpose, he uses moss litter and "mull" mixed with superphosphate, and has obtained the most satisfactory results. He reports that the disease did not appear at all among his cattle, while on all the neighbouring farms it spread to an

alarming extent. He therefore recommends its use in railway cattle trucks.

Opinions differ as to the value of stable manure produced on moss litter as compared with that produced on straw. The principal difference is that moss-litter manure contains less potassium, lime, and phosphates, but a greater proportion of easily soluble nitrates.

Comparative experiments were made in 1883 and 1884 at the instance of the Prussian Ministry of Agriculture, with the following result.

In a stable of nine head of cattle, it was found that the manure derived from each animal in one day contained:—

1883.

					On Straw.	On Moss Litter.
					Grammes.	Grammes.
Potassium	..	..	..	..	161·2	148·4
Lime ..	..	..	..	..	87·5	79·6
Phosphates	..	..	..	..	78·1	72·9
Easily soluble nitrates	..	..	..	..	3·3	18·9
Less soluble nitrates	..	..	..	..	146·3	152·5

1884.

					On Straw.	On Moss Litter.
					Grammes.	Grammes.
Potassium	..	..	..	..	149·6	135·1
Lime ..	..	..	..	..	49·6	43·9
Phosphates	..	..	..	..	111·0	111·5
Easily soluble nitrates	..	..	..	..	71·6	110·6
Less soluble nitrates	..	..	..	..	156·9	147·4

The animals standing on straw and those standing on moss litter were fed in exactly the same manner.

Experiments were also made on the same occasion and in the following years to ascertain by practical experience the comparative effect on the harvest of moss litter and straw manure. The results were slightly favourable to moss litter manure, especially on the lighter sandy soils.

IV.—*Peat Dust, or "Mull."*

The smaller particles which are separated from moss peat when it passes through the "Wolf" and the sieves used in the manufacture of moss litter are collected and reduced to a powder known as "Torfmull."

This product has obtained a market for various purposes, and sells at about 1s. 3d. per cwt.

No statistics of any kind are available, however, as to the amount which is produced and brought to market, nor is any mention made of it in the Government statistics of foreign trade.

Peat dust, or "mull," has an extraordinary power of deodorizing foul-smelling substances, and this, combined with its great capacity for absorbing liquids, suggested its use as a disinfectant.

The application of peat refuse for disinfecting purposes was strongly recommended by Dr. Scharlau, of Stettin, as early as 1850, and a similar practice was known in Norway more than thirty years ago, being even made compulsory in the town of Christiania.

Experiments made in the hospitals at Kiel with peat dust for antiseptic bandages produced good results. These bandages were applied in a large number of cases of slight wounds, cuts, and sores. Mull was also used in more serious operations with complete success.

It is held that although peat dust does not actually destroy pathogenic germs, it has the property of retarding the multiplication of lower organisms, and this has led to its extensive use in many German towns for earth closets, public latrines, slaughter-houses, &c.

In sugar factories peat mull has been found of great use for the purpose of absorbing the lye resulting from the treatment of the molasses with strontium. It is forbidden to drain this liquid into the rivers, and it consequently presented a difficulty until mull was employed, when it was found that 25 parts of mull would absorb 100 parts of lye, and yield a valuable and easily transportable manure.

Mull is also used as an admixture to salts used in powder as chemical manure, for the purpose of preventing their hardening into lumps. An addition of $2\frac{1}{2}$ per cent. of mull to the salt is found sufficient for this purpose. In the salt works ("Kalisalzwerke") at Stassfurth, 4 lbs. of mull are mixed with each sack of 2 cwt.

Moss peat and mull are also used with excellent results as packing materials for breakable objects; for packing and preserving perishable goods, such as fruit, vegetables, butter, eggs, &c. (fresh fish has been sent in summer from Trieste to Copenhagen packed in mull, and arrived in good condition); as a non-conductor of heat in ice-cellars and between the floors and ceilings of houses, &c.

V.—Other Peat Products.

Apart from the use of peat as fuel and in the shape of moss litter, its employment as a raw material in other branches of industrial enterprise is in its infancy. Attempts are, however, being made to utilize the valuable qualities which this material really possesses, of which the following may be mentioned:—

A substance consisting of a mixture of peat dust, india-rubber, and sulphur has been found to be an excellent material for isolating subterranean electric cables.

Good porous bricks are manufactured at small expense by mixing the clay with peat dust. This plan has been tried, and is recommended by a Civil Engineer in Copenhagen.

Pure moss-peat mull, free from admixtures of grass peat or particles of sand, has been used for some time in the manufacture of gunpowder to replace charcoal. The powder made in this manner is almost smokeless, but has the disadvantage of easily becoming damp.

Companies formed in the north of Germany (especially Oldenburg) and in Sweden are beginning to use the elastic fibres of moss peat, carefully freed from dust, as a material for carpets and other coarse textile fabrics. A considerable amount of capital is said to have been invested in these enterprises.

Peat fibre is also used as raw material in some paper-mills and manufactories of celluloid.

The chemical industries are likewise attempting to make use of this promising material, and gas for lighting purposes, tar, paraffin, solar oil, photogen, &c., have been manufactured from it.

An Austrian industrial paper recently mentioned that matches had been made of peat fibre instead of wood by a Herr Rosenkötter, of Gröningen. These peat matches have the advantage of greater cheapness, and burn better and more slowly than wooden matches, besides being tougher and less liable to break.

The information that can be obtained with regard to these minor uses of peat is extremely scanty and unreliable, and it appears to be too early to judge whether any of them have proved commercially successful.

(Signed)

J. B. WHITEHEAD.

Berlin, December 10, 1892.

NETHERLANDS.

No. 5.

Sir H. Rumbold to the Earl of Rosebery.—(Received October 31.)

My Lord,

The Hague, October 27, 1892.

WITH reference to the Circular of the 22nd July last, I have now the honour to inclose a very full Report on the manufacture of fuel, moss litter, and other products from peat in the Netherlands, which has been addressed to me by Her Majesty's Consul at Rotterdam.

I beg to call attention to the very interesting and exhaustive manner in which Mr. Consul Turing has dealt with the subject.

I have, &c.

(Signed) HORACE RUMBOLD.

Inclosure in No. 5.

Report respecting the Turf Moors in the Netherlands.

THESE MOORS are principally met with in the Provinces of Friesland, Gröningen, Drenthe, Overysse, Noord Brabant, and Limburg, and are distinguished as low- and high-level moors, the latter only existing in Noord Brabant and Limburg, whilst the former are found in the four northern provinces. Low-level turf is so called from its lying below the normal level of the water, whilst high-level turf is that which lies above it. The uninitiated are prone to consider turf moors and heath moors as identical, but for centuries the former have afforded a livelihood to a large proportion of the population, and at the present time they likewise do so to thousands and tens of thousands of people.

The importance of the turf moors may be gathered from the following particulars:—

In the first place, let us consider the low-level moors, which produce the so-called short or dredged turf. This is obtained by dredging with a kind of scoop, when a black and soft substance is brought forth which is spread out to a depth of 5 to 6 inches on a flooring of boards, and is then trodden down by labourers with specially adapted wooden shoes, with the object of obtaining one adhesive mass. This is subsequently cut through crossways with a spade, each portion having the form of a turf, and the whole mass is then left exposed to wind and weather until the turf have arrived at a sufficiently dry and hard state to allow of their being

handled, when they are stacked in long rows to a height of 2 to 3 feet. The exposure to the sun and wind results in their drying up entirely, and attaining the necessary hardness. They are then collected and stacked in large heaps, with a covering of reeds, and are subsequently brought to market. This kind of turf is exclusively used for domestic purposes. Numbers of skippers with their barges proceed throughout the year to the moors in the northern provinces, where they buy the turf for subsequent retail sale in the towns and villages.

The high-level moors are associated with four widely divergent industries, each of which we purpose discussing separately. These industries are the following :—

Firstly. The cultivation of buckwheat.

Secondly. The production of peat moss, which has been carried on for only about ten years, and which in no other country but the Netherlands has assumed such dimensions.

Thirdly. The manufacture of black or factory turf.

Fourthly. Cultivation for agricultural purposes.

In the first place, we must remark that as regards the moors, the Netherlands are much more favourably situated than any other country in Europe, as the grounds can easily be intersected by canals communicating with the rivers and existing leading canals, without involving large outlays for sluices, which, but for the configuration of the country, would otherwise be necessary.

The importance of this fact is very patent, looking at the bulky nature of turf and its comparatively low value. The cost of transit represents a large proportion of the selling price. In order, therefore, to be able to sell at the lowest price, it is obvious that the means of transport must be cheap, and in this respect carriage by water claims first rank. Nevertheless, as regards turf from the northern provinces, 50 per cent. of its selling price represents freight, whilst for the southern provinces the proportion is totally different. We shall refer to this matter later on.

In order to open up a high-level moor of, say, 1,000 hectares = 2,470 acres, it is in the first place necessary to drain it properly, and for this purpose ditches are dug at a distance of about 11 yards from each other, all running into a larger ditch communicating with a leading waterway. The direction of these ditches, and the cost of making them, all depend upon the situation, and, therefore, these matters differ for each moor.

Together with the attention required in the drainage process due care must be bestowed upon the digging of the canal, through which subsequently the produce will have to be conveyed, and, in addition to selecting for this canal the shortest route to the neighbouring chief waterway, care must also be taken that the direction be such as to allow of the removal of the largest quantity of turf and the smallest of sand, as the latter does not repay the cost of labour, whilst the former represents a saleable article.

This canal is the leading one, and intersects the whole moor, whilst, in proportion to the extent of the excavations, branch

ditches are dug parallel to each other at distances of about 219 yards, so that no portion of the moor is at a greater distance from the Canal than about 109 yards.

Upon completion of these preliminaries the cultivation of buckwheat is commenced, and for this purpose the upper crust of ground is first broken up, and when in the spring it has somewhat dried up, the whole surface is burnt through the following process.

A few bits of dry turf are placed in an iron basket at the end of a long pole, and then lighted. This basket is held on high, and, through the action of the wind, the small bits of smouldering turf are blown over the ground and set fire to it. As soon as the basket is nearly empty it is refilled, and the same process repeated. With a fairly good breeze, the whole field is soon a smouldering mass, occasioning the irritating smoke which covers the whole of the country pretty nearly in the spring, and is known as "turf fire."

The smouldering mass extinguishes itself, as the ground is covered with only a small crust, beneath which the soil is very wet, but a small layer of ashes is left behind, which serves as manure for the buckwheat about to be sown.

The sowing and harvesting of the crop do not differ from the processes adapted as regards cultivation in sandy soil, excepting that in the carrying due attention must be given to the softness of the ground, and, with this view, the carts are provided with broad-tired wheels, and the horses have broad bits of wood attached to their feet.

This process of cultivation can be carried on for six succeeding years, the ground being annually burned, after which period, the humus being exhausted from which the manure was obtained, it would not pay to raise any further crop.

It is then that preparations are made for the digging up of what is called the "grey turf," the leading element of the peat-moss industry.

The high-level moors in Holland consist of an upper layer of grey and a lower one of black soil, whose thickness varies considerably.

On an average the grey is 1 yard thick, and the black from 2 to 3 yards.

In connection with this fact, it should be mentioned that the additional function of the ditches referred to in the cultivation of buckwheat is to "settle" the subsoil.

The intersection of the latter by ditches at distances of about 11 yards forms separate parts, which, through their own weight and the oozing of the water into the ditches, causes them to settle down and to assume a more compact mass.

In new moors, therefore, the layer of turf is thicker than in those already under cultivation, although the quantity of soil may be the same.

By means of spades and other implements, the grey soil is now shaped into turfs, which are placed on a barrow in a dripping state and often contain 500 to 600 per cent. of water, and are then

placed end-on against each other in the open to be dried by the wind and sun.

When they have obtained sufficient hardness to allow of their being manipulated without breaking, they are arranged horizontally in rows on and near each other to a height of about 3 feet, just as the short or dredged turf, which process is termed stacking in pyramids.

The object of this is to dry them thoroughly, and hence, after some time, they are re-stacked in this form, the lower turfs coming uppermost, and the upper ones down below.

When sufficiently dry, they are stacked in large heaps.

The elementary substance of moss litter is now ready for further treatment, and is carried in barges to the factory, where it is broken up into small bits by means of a "devil."

This product is then passed through a sieve, and thus two kinds of litter are obtained, the coarse and the fine.

To reduce the volume of this article, and thus to make its transport feasible on a large scale, the litter is pressed into bales weighing about 300 lbs., and bound with wire and laths of wood when it is ready for market.

The coarse litter is used in stables, and principally for horses. Its preferential advantages to straw are, firstly, that it is much cheaper, it makes a softer and more elastic bed, and, finally, that it purifies the atmosphere in the stables of that unpleasant and penetrating smell of ammonia which the use of straw always generates. The grey turf consists of an innumerable number of small hollow cells, which absorb all gases and particles of moisture. Its power of absorption is such that it attracts water to the extent of eight to ten times its own weight, and hence, when used for horses, it absorbs all the urine in the stables, and also the unsavoury gases from the manure. It is evident from the above, that the litter thus used in stables has a great value as manure, for besides having absorbed all moisture and gases, it intrinsically consists of partly decayed and partly healthy vegetable matter, which, under the influence of the animal manure substance, speedily decomposes. Moreover, this litter manure fortunately emits no smell whatever, and hence, until an experiment is made, many a farmer doubts its efficacy.

The "fine" litter is used for mixing with sewage, and a mixture of equal quantities produces a dry, dark, earthy substance, which can be turned over with a spade, and is entirely inodorous. As a manure, this product is quite as valuable as the stable moss litter; but whilst the latter in its original state is extensively used in all European countries, and also in America, the mixing of "fine" peat with sewage is but little known, although in some cities, such as Bremen, Brunswick, and Oldenburg, the product is largely used by the authorities. In Gothenburg, in Sweden, the "fine" peat has been utilized for a number of years, whilst in Belgium a Company has been formed for the purpose of collecting the sewage of the several towns and mixing it with moss litter, and thus producing a merchantable article.

Initiatory steps have been taken in Bruges and Mons, and the Company will soon commence in other towns.

Although the special advantages attaching to the mixture of litter and sewage appear to be so little recognized as yet, nevertheless, we think that through this industry the grey-turf moors have a great future before them. 'In 1889, the value of 1 hectare (fully 2 acres) of this kind of moor was 100%, whilst only 10 years previously the grey turf, being considered valueless, was ruthlessly cut up and thrown away, the only object being to get at the substrata of black turf.

The moss-litter industry, which, as we mentioned before, has taken a start in the Netherlands greater than in any other European country, owes its flourishing condition to the favourable situation of the moors, whilst in this respect the provinces of North Brabant and Limburg have a great advantage over the northern districts. A glance at the Map shows that the "Peel," which is the district bordering on North Brabant and Limburg, and where lie the turf moors, is intersected by the railway from Helmond to Venloo, which line communicates with the seaports as well as with the whole net of railways of Belgium, Germany, and France. Moreover, there are canals throughout the district which run into the Zuid Willems Canal, and allow of barges of about 200 tons capacity to get to the turf moors, whence they can reach Rotterdam in four and Antwerp in five days. The moors of the northern provinces are situated at a much greater distance from the shipping centres, namely, Hoozeveen and Dedemsvaart, whilst these again are further by rail from Amsterdam and Rotterdam than Helenaveen in North Brabant.

The distance from the northern provinces to Belgium, Germany, and France is such as to render all competition from that quarter impossible, besides which the canals connecting the shipping centres with the River Yssel are only navigable for barges of 80 tons, and these take six days to reach Rotterdam.

The importance of situation is further emphasized by the fact, that whereas 50 per cent. of the selling price of the northern moss litter represents freight, the latter item figures for only 20 per cent. of the price of the southern product.

We now come to the subject of black turf, or, as it is usually called by the trade, factory turf, from its being almost exclusively used in the brick-kilns along the Rivers Maas, Waal, Linge, Lek, and Yssel.

This turf is dug up in the same manner as the grey, but care must be taken to dig only when there is no fear of frost, and also to stop digging in time to allow the turf to be quite dry before the frost sets in. The period for digging the black turf lasts, therefore, only from the 15th March to 15th June, whilst the grey can be worked throughout the whole year, except when the soil is too hard through frost. If black turf gets frozen before having dried it loses its heating power, and consequently its value as a merchantable article, and then it is sold at a very low price for domestic purposes.

The factory turf is conveyed in barges to the brick-kilns, and here again the same difference in the cost of transport is observable in respect of the northern and southern moors, as was remarked in the case of moss litter. For instance, the freight from the north to the kilns on the Waal below Nymegen is double that from the southern provinces, but, at the same time, the competition is less keen than in the peat-moss trade, for many kilns, such as those on the Rhine and Yssel, are much nearer Gröningen, Drenthe, and Overysse than North Brabant and Limburg. It is on this account that the producers of black turf in the northern and southern provinces have each their own outlets, and hence do not interfere with each other.

The importance of the trade in this article may be gathered from the fact, that in the Netherlands about 7,000,000 tons (280,000 tons weight) are annually consumed in the manufacture of bricks, of a value of 133,000*l.*, of which 100,000*l.* represent labourage and freight. The value of 1 hectare (upwards of 2 acres), good and favourably situated black peat, may safely be taken at 170*l.*

Cultivation.—After the removal of the black peat the sandy soil is met with, and this is specially adapted for cultivation, for which purpose immense quantities of manure are required. But if the cultivation has kept pace with the gradual removal of the turf, the moors offer great facilities for the carriage of manure, as the latter can easily and at only a small cost be conveyed from the towns in the same barges that carry the turf thither.

The “Peel” district has proved that these sandy soils, having been well manured, are capable of producing all kinds of crops. Oats, rye, tobacco, and flax are grown there, and kitchen-gardening has also successfully been carried on, as proved by the asparagus, gherkins, grapes, melons, &c., which can compete with the best of these products grown in other districts.

At the same time, it is scarcely possible for cultivation to keep pace with the digging the turf, more especially as regards kitchen-gardening.

On granting a licence to dig up a moor, the Government prescribes that within a certain number of years after it has been excavated the soil must be ready partly for agriculture and partly for forestry. But the Government do not strictly attend to the fulfilment of their own conditions, as an instance of which may be mentioned that in the “Peel” district a certain community has for the last fifteen years been engaged in opening up the moors, without as yet having commenced to cultivate the soil.

At the same time, it cannot be denied that cultivation demands a lot of capital.

But if not carried out, the certain result is the creation of a big wilderness, with a large population without work and means of subsistence. This is now being experienced in Friesland, where the workpeople are reduced to the greatest poverty, and on whose behalf public charity is now invoked.

As an instance of the cultivation of turf moors in olden times

must be mentioned the Province of Gröningen. For centuries the moors there have been opened up, and all manure and sewage from the city of Gröningen were carried thither by the existing canals.

(Signed) HENRY TURING, *Consul*.
Rotterdam, October 22, 1892.

No. 6.

Sir H. Rumbold to the Earl of Rosebery.—(Received November 14.)

My Lord, *The Hague, November 10, 1892.*

WITH reference to my despatch of the 27th instant. I now have the honour to transmit a Report which I have received from Her Majesty's Consul at Amsterdam, containing the information with regard to the manufacture of fuel, moss litter, and other products from peat in this country called for in your Lordship's Circular of the 22nd July last.

I have, &c.
 (Signed) HORACE RUMBOLD.

Inclosure in No. 6.

Report on the Production of Fuel, Moss Litter, &c., from Peat, in Holland.

Consul Robinson to Sir H. Rumbold.

Sir, *Amsterdam, November 2, 1892.*

IN accordance with the instructions conveyed in your letter of the 24th July, 1892, I have herewith the honour to submit the information which I have been able to collect on the subject of the manufacture of fuel, moss litter, &c., from peat, as practised in this country.

As regards the principal product of the peat districts, namely, turf for fuel, this article is produced by various means, and in very great variety of quality.

The simplest form of this product is the natural turf, which has undergone no preparation, but has been cut with a spade or knife directly out of the peat, after the removal of the top layer of the so-called grey turf, in the form of a brick, dried in the air, and sold in blocks of various sizes, say, from 12 to 20 inches long, from 2 to 3 inches thick, from 4 to 6 inches broad.

This article has, in consequence of the original formation of the peat in layers, which shows itself at once when the turf is dried,

all the inconvenience and undesirability of a spongy fuel, so that this natural cut turf is by no means a practical manner of preparing the peat, and is not popular as a fuel.

It is cut from the peat, either horizontally or perpendicularly. In cutting horizontally, a plank is laid so far from the edge of the face of the peat as is required for the length of the blocks of turf. The peat is then cut along the plank with a sharp spade by one labourer, while a second cuts the turf to the required thickness of 3 to $3\frac{1}{2}$ inches, loads it on a wheelbarrow, and brings it to the drying-place. The plank is then placed a length further back, and the operation recommenced.

In cutting perpendicularly the labourer cuts at the edge of the peat face downwards with a sharp spade with rectangular corners (fig. *a*), the dimensions of which are the same as those of the turf blocks; these are then cut away on the lower edge with a so-called cutting-iron, and are placed in the wheelbarrow and taken to the drying-places.

This hand labour is only practicable where the peat bog has already been well drained. Where this is not the case cutting machines have to be used, in order to cut the turf under water.

A well-known cutting machine, of which a drawing in perspective is annexed, is the Victoria turf-cutter manufactured by M. Rud. Brosowsky, of Stettin, Grünhof. Its mode of operation is as follows:—

It moves in the frame R, attached to the prolongation of the tramway W, in such a manner that six to seven pillars of turf, the length of which corresponds with the depth of the machine's stroke, while the breadth is about $4\frac{1}{2}$ inches, and the thickness $3\frac{1}{2}$ to 4 inches, can be cut consecutively, the machine being transposed by means of the bar Z. It is worked by means of a cog-wheel and chain, with fly-wheel. The pillar of turf thus separated is cut off at its base by pulling down the arm of the lever. The plank A, on the car C, being then brought into a vertical position, the whole pillar is then raised by turning the fly-wheel, so that it is shoved along the plank.

The cutter is then turned into the position shown in fig. 2, together with the plank and the pillar of turf, and held in its place by the supporting bars G. Letting the top end of the plank down, the pillar of turf remains lying on the plank, and is carried on the car over the tramline W to the drying-place, where it is cut into bricks.

The cutter is then brought again into a vertical position, pushed on one division further, and the process repeated.

It will be seen that the help of only one labourer is required for hauling up the turf and placing it on the car. A second man cuts the turf into bricks and piles them for drying.

This machine is generally constructed for a depth of 4 to 6 feet for this country, but the makers are prepared to construct them for all depths, even up to 40 feet.

The fresh turf contains 80 to 90 per cent. of water: the bricks are dried in heaps or on wooden frames, and the turf has to remain

at least two months in the open air, and suffers a good deal in rainy weather. Another method of drying is to stick the bricks on to wooden pegs attached to a pole about 7 feet high. In drying the turf on frames, so-called drying-houses are constructed; these consist of four poles in a rectangular form covered with a roof. Between these poles are five drying-hurdles, one over the other, each carrying twenty bricks. The turf remains on these until sufficiently dry to be piled up in heaps. This method is generally applied in cases where the peat is of insufficient consistence.

Earthy or Sandy Turf, the want of consistence of which is such that it cannot be cut by hand, is generally dredged out by means of iron buckets with a sharp edge and coarse canvas bottom. The mass thus dredged is poured out on the ground, to let the surplus water run off; it is then piled in heaps, shut in by planks, and left there to dry, after which the turf is cut out of it. In order to hasten the drying process, the mass is thoroughly stirred with sticks or flails, or a labourer with planks attached to his feet kneads it by stamping.

Modelled or Moulded Turf is made out of the irregular lumps of peat, which are broken up with sticks, or by stamping on them; water is then added, and the mass placed in moulds. All this natural turf is, however, much inferior to the "machine-made turf," the substance of which is densified by various processes.

The turf mass is either first disintegrated and dried in ovens and then pressed into moulds, or treated by the wet press process fresh from the peat bog (Koch and Mannhardt's system), and in this way pressed turf is obtained.

Washed Turf is produced by the Challeton system, by passing the raw peat through rollers with knives; it is then driven by means of brushes through a fine sieve, and then mixed with water, forming a pulp, which is placed in casks, in which the mineral and earthy parts sink to the bottom. The pulp is then dried in pans, and, when sufficiently compact, moulded in shapes.

Sifted Turf (Versmann's system) is obtained by placing the raw peat in an iron disintegrator, through which runs an axle with a serpentine knife. The finely cut peat is squeezed out of the disintegrator through small holes, while the coarser parts pass through the bottom opening of the disintegrators.

The expression "machine-made turf" includes all those descriptions of turf in manufacturing which the fibre of the peat is cut by machinery, and remixed in such a manner as to form as far as possible a homogeneous product, even where turf presses for condensing the same are not used. It may be assumed that 9 cubic metres of fresh peat will produce 6 cubic metres of wet machine-made turf, that is, 7 cubic metres of dry machine-made turf, weighing 200 kilog. The specific gravity of air-dried hand-cut turf is on an average 0.2, that of air-dried machine-made turf 0.6 to 1.3, according to the quality of the raw material.

Air-dried machine-made turf contains up to 30 per cent. of water, and as this must be evaporated during combustion, there is a considerable loss of heating power. In order to lessen this, drying ovens of various construction have been tried.

Turf is also converted into charcoal in the same manner as wood, both in heaps and in specially constructed ovens. Turf charcoal is nearly equal to wood charcoal in heating effect, but is not so useful as the latter, as, on account of its porous nature, and proportionately large residuum of ash, the fire is less intense.

Moss Litter.

This article has of late years become an important product of some of the larger moors in Friesland, Brabant, and Limburg, though it is alleged that its manufacture has up to the present not been profitable to the producer, the prices obtained leaving little or no margin over the cost of production.

It is manufactured on the so-called higher moors, *i.e.*, those which lie higher than the normal surface of the water. The upper portion of the turf on these moors consists of what is called "grey" turf, which is adapted for the manufacture of moss litter.

After having been cut and dried in the manner described above, this turf is stacked in large heaps at the manufactory.

The process consists in the disintegration of the turf by means of a so-called "devil," after which it is screened through a sieve, and thus separated into "coarse" and "fine" moss litter.

Both sorts are pressed into square packages of a convenient size for transportation, bound together by means of laths and iron wire. The generally adopted weight per package is about 3 cwt.

Large quantities of this product are shipped to the ports of England and Scotland from Amsterdam, Rotterdam, Harlingen, and Gröningen, by vessels returning thither from these Dutch ports, which take it as ballast at exceedingly low rates of freight.

Considerable quantities are also shipped to the United States.

Its value as an absorbent when used in stables, &c., is so well known, that it is unnecessary to enter upon the question of consumption.

Of late, experiments have been made in the direction of mixing the "fine" moss litter with faecal substances, thus forming an inodorous and easily transportable manure of considerable value. The increasing difficulties experienced by the large towns in getting rid of the faecal products seem to promise a large outlet in this direction for a production which is practically capable of unlimited increase.

The secret of the success and of the profitable working of the moors and bogs in Holland, and of the generally flourishing condition of her turf industry, lies nearly altogether in cheap means of transit.

All the principal turf-producing centres are intersected by canals capable of being navigated by the large turf-carrying lighters, from 80 to 200 tons dead weight capacity, and as the bog is opened out for turf-cutting, the canals are simultaneously pushed forward, so that the expense of transit at the place of production is reduced to a minimum. As regards the home consumption of turf, it is also so regulated as to do away with every manipulation of the article

which can possibly be avoided. It is seldom stored anywhere in large quantities until the canals are closed by ice.

So long as the waters are open, the turf is sold directly to consumers out of the lighters themselves, which lie alongside the quays of the canals by which the towns and villages of this country are intersected.

The moss litter is brought by lighters direct alongside the vessel, which loads it for foreign ports generally, as above observed, at a rate of freight which barely pays the expense of loading and discharging.

The expense of carriage to the port of shipment, even under the above favorable circumstances, is 25 to 50 per cent. on the cost of production, and it is very clear that the article is one which cannot possibly bear any extra expense of manipulation or transport.

The climate of this country, though more humid than that of most parts of the Continent of Europe, is still sufficiently dry, especially in the early part of the year, when lengthened periods of dry, easterly winds prevail to encourage the production of turf, while the consumption as a household fuel prevails so very generally over the whole of Holland that, in spite of the competition of coal and coke, it continues to hold its own in this respect. Besides this household consumption, the brick-making industry is the chief consumer of turf, which is transported by lighters direct from the bogs to the brick-making establishments, situated in great numbers along the principal rivers of Holland, where brick-clay of an excellent quality is found. The consumption for this purpose is a very large one, the turf forming a clean, practical, and economical fuel for brick-burners, whose ovens are specially arranged for its use.

(Signed)

W. C. ROBINSON.

RUSSIA.

No. 7.

Mr. Howard to the Earl of Rosebery.—(Received August 22.)

My Lord,

St. Petersburg, August 19, 1892.

WITH reference to Lord Salisbury's Circular despatch of the 22nd ultimo, requesting information respecting the manufacture of moss litter, fuel, and other peat products in Russia, I have the honour to transmit to your Lordship herewith a Report addressed to me on the subject by Mr. Consul Michell.

I have received as yet no reply from the other Consuls whom I instructed to inquire into the matter, and doubt if they will be able to collect much more information.

I have, &c.

(Signed) HENRY HOWARD.

Inclosure in No. 7.

Report on the Manufacture of Fuel, Moss Litter, and other Products from Peat, in Russia.

PEAT fit for fuel is found in Russia in forty-five of its provinces, on an area which, it is calculated, extends over 100,000 square versts (67,000 square miles), and is capable of yielding 875 milliards of pouds (14 milliards of tons). No exact information as to the extent of the quantity of peat cut in Russia is in existence. It can only generally be said that it is found in the Provinces of Moscow, Vladimir, Nijni-Novgorod, Tamboff, Orel, Kharkoff, Kieff, Esthonia, and St. Petersburg, where it is prepared as fuel for manufactories, sugar works, and other industrial establishments, as also for locomotives. Among the peat bogs which belong to the Crown, those lying in the Provinces of St. Petersburg, Moscow, Orel, Riazan, Vladimir, Tamboff, and along the Kursk-Kieff line have been surveyed. The result of this survey proves that the peat bogs of the Crown in the above localities contain no less than 100 millions of cubic feet of peat of excellent quality. Some of these peat bogs are leased under the Crown by private individuals, notably in the district of Pokrovsk, of the Province of Vladimir, the lessees of which are Savva, Morozoff, and Co., owners of the extensive Nikolsky cotton manufactory. Peat bogs belonging to private individuals are worked near the station of Orekhova of the Nijni-Novgorod Railway and in the neighbourhood of

Moscow, viz., at Krilobsky, 9 miles west of that city; at the village of Nikolsky, along the high road leading to St. Petersburg; near Gorenky station, on the Vladimir road, where it is worked for the Reutovsky cotton mill of the Morozoffs; near the station of Liberts of the Riazan Railway, in several parts of the Provinces of Orel, and in the neighbourhood of St. Petersburg.

As yet peat is not used to any great extent on the Russian railways.

Respecting the manufacture of moss litter in the Russian provinces of this Consular district, so far as I have been able to ascertain, it is only in Esthonia that it is prepared to any extent.

Baron E. G. de Soucanton, British Vice-Consul at Reval, gives the following information on the subject:—

“Peat is much used in Esthonia, both as fuel and moss litter. There are no special manufactories of it, but on many estates mills are used for the preparation of litter. One of the first of these mills was started on the Kunda estate, near Wesenberg.

“The use of moss litter is increasing yearly in Esthonia, especially in those parts of the province where the soil is light, sandy, or stony.”

As fuel, peat is almost exclusively used in this part of the country in the shape of cakes or squares, just as it is cut in the bogs. The only steam press used for the production of peat fuel in a tubular form exists, as far as I can learn, on the Kavash estate, near Wesenberg.

As firewood is so cheap and plentiful in the Grand Duchy of Finland, peat, though abundant, is not used there at all as fuel. Mr. Charles J. Cooke, British Vice-Consul at Helsingfors, reports, however, with regard to moss litter, that the use of it is steadily increasing in the Duchy for sanitary and other purposes. There are two manufactories of it in Finland, one near Wiborg, viz., at Terrijokki, and the other near Tavasthus, two more being in the course of organization. The two former are said to produce annually about 8,000,000 kilog. of litter (7,857 tons), one-sixth of which quantity is exported to Russia. Moreover, nearly 10,000 kilog. (9½ tons) of superior litter are also made for hospital use.

(Signed) JOHN MICHELL.

St. Petersburg, August 19, 1892.

No. 8.

Mr. Howard to the Earl of Rosebery.—(Received August 29.)

My Lord,

St. Petersburg, August 25, 1892.

WITH reference to my despatch of the 19th August, I have the honour to transmit to your Lordship herewith a further Report on the manufacture of peat products which I have received from Mr. Wagstaff, Her Majesty's Consul at Riga.

I have, &c.

(Signed) HENRY HOWARD.

Enclosure in No. 8.

Consul Wagstaff to Mr. Howard.

Sir,

Riga, August 23, 1892.

IN acknowledging the receipt of your despatch of the 12th instant, instructing me to furnish you with a Report on the manufacture of peat products in this Consular district, I have the honour to state that the only information obtainable on this subject is as follows:—

There is no established peat industry in these provinces. There are extensive tracts of bog moors, and at Dorpat, some years ago, an attempt was made to manufacture peat, but it failed, there being no demand for this class of fuel.

Peat is cut and used by the rural population, yet not extensively, as timber is abundant and cheap. On a few farms the proprietors use peat (which is cut by the spade, stacked in the open, and sun-dried) in working their machinery, together with wood and coal.

At this town the "Rigasche Torf Industrie" is exclusively employed in preparing a powder from peat for deodorizing closets.

I regret being unable to furnish further information, but, apparently, there does not exist any data here on this subject.

I have, &c.

(Signed) W. G. WAGSTAFF.

Mr. Howard to the Earl of Rosebery.—(Received September 9.)

My Lord, *St. Petersburg, September 6, 1892.*

WITH reference to my despatch of the 25th ultimo, I have the honour to transmit herewith to your Lordship a copy of a despatch, with its inclosures, which I have received from Mr. Wagstaff, Her Majesty's Consul at Riga, on the subject of peat products.

I have, &c.

(Signed) HENRY HOWARD.

Inclosure 1 in No. 9.

Consul Wagstaff to Mr. Howard.

Sir, *Riga, September 3, 1892.*

WITH reference to my despatch of the 23rd ultimo on the manufacture of peat, I inclose a translation of an extract from a Report of a journey made by Professor Thoms in the summer of 1887.

Mr. Hill, in his Report, merely states that there are one or two peat-cutting industries in the neighbourhood of Libau solely for fuel, and that the cost of 1,000 peat bricks is 2'30 roubles. He adds that it is the intention of the manufacturers to turn out moss litter next year.

I have, &c.

(Signed) W. G. WAGSTAFF.

Inclosure 2 in No. 9.

*Extract from the Report of a Journey in Livonia made by
Professor Thoms.*

Translation.)

THE estates of Perst and New Woidoma, situated in the district of Fellin, offered me the opportunity to refer to the peat question.

Between Kokenkau and Pörrafer, in the district of Pernau, there are extensive bogs where peat had been cut, but for want of time one could not undertake any further inspection of them. Here I may refer to a smaller establishment at Perst. This place makes use of a small peat press, manufactured by R. Dolberg, of Rostock (Mecklenburgh), which is worked by one horse. The results are as follows:—

The machines, set up in working order, costs about 350 roubles; 1 fathom (6 feet) of firewood, 1 metre in length, costs, with cartage, in Perst, 2 r. 50 c. As we are aware that 2,000 sods or bricks of

peat represent the same heating power of 1 fathom of wood, which costs 1 r. 60 c., therefore each 2,000 sods or bricks give a profit of 90 copecks, and, consequently, leave a profit of 270 roubles of the annual produce of 600,000 sods or bricks.

The working expenses of the establishment in Perst were almost completely covered in the first year.

The peat works at Perst require seven men at 70 copecks per diem, one woman, and one boy. With this number of hands, and one horse, 10,000 sods or bricks are made daily.

The establishment at New Woidoma is estimated to produce 2,000,000 sods or bricks yearly; it is therefore much larger, and is worked by a steam peat press made by Dolberg. One thus immediately sees the importance of this establishment, which requires an outlay of 5,000 to 6,000 roubles to produce the said quantity of 2,000,000 sods or bricks of peat as a substitute for firewood.

In view of the importance which we must attribute to our forests, especially with reference to climate, one can only be too glad in hailing the more extended exploitation of the Baltic peat bogs.

Here I beg to refer to the observations made by M. H. von Samson in his "*Oratio pro Silvis*."

At any rate, there is no want of wood whatever in the district of Fellin. Several of the proprietors complained that in consequence of the low prices it is unprofitable bringing stores of firewood to market, which by the forest law they are required to cut down, but they seemed to be afraid of the further working of the bog lands.

SWEDEN AND NORWAY.

No. 10.

Sir F. Plunkett to the Earl of Rosebery.—(Received October 17.)

My Lord,

Stockholm, October 11, 1892.

ON the receipt of the Marquis of Salisbury's Circular despatch of the 22nd July, I called upon Her Majesty's Consuls at Stockholm and Gothenburg to furnish me with information with regard to the manufacture of fuel, moss litter, and other products from peat in their districts.

I also requested Mr. Gough to make inquiries on the subject of Herr Odelberg, the obliging Director-General of the Swedish Agricultural Department.

I have now the honour to inclose copies of three Reports furnished by Her Majesty's Consuls, a translation by Mr. Gough of the Report received from Herr Odelberg, and a summary, prepared by Mr. Gough, of a lecture on the subject by Herr Nilson.

The information is in each case conveyed so briefly that a formal summary of the three papers seems unnecessary, but I may recapitulate their substance as follows:—

Peat exists in immense quantities in large tracts of Sweden, but it is only in the south that factories have as yet been started for working it up, and most of these have been so short a time at work that little can yet be said about them.

The factory at Stigen, mentioned by Mr. Consul Duff, for the manufacture of mattresses, bedding, and surgical bandages from the white moss may, if successful, lead to the establishment of a new branch of industry; the samples herewith forwarded are extremely interesting, but it is difficult yet to appreciate how far these experiments will prove successful.

As a rule, peat fuel is used only when wood is scarce, and it is generally produced in the simplest manner as required.

The precautions now taken against cholera have increased the demand for peat mould ("Torfmull"), which is a strong antiseptic, and much used for killing the emanations from cesspools, and for covering faecal matter which in Swedish towns is carted away solid, and seldom carried off through drains.

Swedish moss litter is made almost exclusively for home consumption, and does not, as far as I can learn, yet enter into competition abroad with that produced by Germany, although the supply here of the raw material is so very much more extensive.

I have, &c.

(Signed)

F. R. PLUNKETT.

Inclosure 1 in No. 10.

Report on the Manufacture of Fuel, Moss Litter, and other Products from Peat, in Sweden and Norway.

IN obedience to Sir Francis R. Plunkett's despatch, dated the 25th August, requesting information regarding the manufacture of products from peat within my district, I have the honour to report on the subject as follows:—

In the west, south, and south-east parts of this district, peat, as fuel for domestic purposes, has been extensively in use for the last century, and even earlier, as by degrees the forests have diminished, or become of too great value for like purposes.

Within a distance of 15 to 20 miles of the coast, it is the rule that the small farmers are owners of larger or smaller peat bogs, or joint owners with their neighbours in such, from which the annual requirements of fuel are obtained during the dry season, *i.e.*, about midsummer. It is collected and dried in the most primitive manner, the whole family taking part in this labour of gathering and preparing the fuel, the older members in cutting or elevating the wet material, and the younger in shaping and carrying the pieces, which are generally formed into lumps of about 12 × 6 × 3 inches to more elevated spots, there to be dried in the sun and wind, after which they are brought home and stored under cover. It is a bulky kind of fuel, but an excellent substitute where wood is scarce or unobtainable.

For industrial purposes peat is not yet used on any extensive scale: some glass-works, however, having large tracts of peat in their immediate neighbourhood, have found it to their advantage to work the peat, and usually employ machinery of German construction for raising and shaping the material into a form of less bulk. Mixed with small coal, it makes an excellent fuel.

Also some ironworks use peat, but not largely; it is, of course, unmixed, and only used for certain purposes, owing to its purity.

A scheme of condensing peat into the shape of a coal is being tried, but as yet the undertaking is not sufficiently developed to judge whether it will prove a success or not.

Later years' exploration has proved that many of the Swedish peat bogs and swamps contain valuable deposits of raw material for the production of moss litter.

The Corporations and Sanitary Boards of several towns have acknowledged its excellence by using it extensively within their respective communities, owing to the extreme power of absorption which it possesses.

It is also generally used in the country by farmers, wherever obtainable within reasonable reach, for the purpose of binding the ammonia contained in the farm-yard manure, improving the latter greatly, inasmuch as it thus becomes far easier to carry on to the land, and is also much easier to spread.

Besides small factories for the production of moss litter, there are two large ones within the district, one situated at Hafskuren,

near Uddevalla, and the other in the south part of the country, at Stehag.

The moss litter is pressed by machinery into bales for transit and shipment.

It has been ascertained that the so-called white moss ("Sphagnum") obtained from the peat bogs and swamps has a power of absorbing twenty times its own weight of moisture, and, consequently, the attention of chemists and others has been called to the possibility of producing articles for surgical and sanitary use.

Thus a manufactory has been started at Stigen, in the Province of Dalsland, where there are made mattresses, beddings, &c. (Sample No. 1), loose inside soles for boots and shoes (Sample No. 2).

For surgical purposes the moss is chemically prepared with disinfectants, and used in surgery during operations (Sample No. 3), as well as for compresses in like cases (Sample No. 4).

The last-mentioned factory for medical purposes is a new undertaking, but its products has already received the best testimonials from several eminent authorities on the subject, among which there are specialists, who, from personal experience, speak highly of the efficiency of these preparations.

(Signed) JOHN DUFF, *Consul*.

Gothenburg, August 8, 1892.

Supplementary Report regarding the Manufacture of Moss Litter.

Supplementary to my Report on peat and its products of the 8th August last, I have the honour to give the following particulars respecting the manufacture and export of moss litter within my district.

By means of sharp spades the peat is cut into lumps about the size of a large brick, which are spread on the peat bog to dry. After some time these are gathered into small piles, and placed so as to admit the access of the wind to take away all moisture.

When the process of drying, which takes from a few months to a year, is completed, the peat is collected and conveyed on portable rails to the barn, or placed in large stacks or piles to protect it as far as possible from rain.

The peat is now ready for the machinery, which in most cases is worked by steam. The lumps or bricks are brought in contact with a rotating wheel fitted with sharp steel pegs and are instantly torn to pieces, whereupon it is carried by an elevator to a large revolving screen, where the separation of the two qualities of moss litter, namely, "Torfmull" and "Torfstro," takes place, the former being a soft substance similar to cigarette tobacco, is used for closets, and the latter, which is of the consistency of oakum, is mostly used in stables and cow-houses.

Powerful presses compress the litter into bales, which are held

together by means of wire and wooden ribs. The size of the bale is $100 \times 75 \times 50$ centimetre, and the weight about 100 to 120 kilog. The price is 20s. per ton, free on board at Gothenburg.

Although there are numerous inquiries for Swedish moss litter, particularly from Great Britain, still the export is very insignificant, owing principally to the high freights and the difficulty in reducing the weight of the litter.

The average weight of the Swedish litter is 15 to 20 kilog. per hectolitre, whereas that of the Dutch litter, which in every respect is far superior to the Swedish, and of which a considerable import to Sweden takes place, is only 10 kilog. per hectolitre.

(Signed) JOHN DUFF, *Consul*.

Gothenburg, September 24, 1892.

Inclosure 2 in No. 10.

Consul Constable to Sir F. Plunkett.

Sir,

Stockholm, September 2, 1892.

WITH reference to your despatch of the 28th July, requesting me to furnish you with such information as I might be able to procure through my Vice-Consuls or otherwise with regard to the manufacture of fuel, moss litter, and other products from peat in my district, I have the honour to report that I have received replies from all the Vice-Consuls of the East Coast.

From these replies, it appears that, although materials are almost everywhere plentiful, scarcely any manufactories exist for their conversion into fuel or moss litter. In the neighbourhood of Norrköping, some attempts have lately been made to convert peat into a fuel that should be cheaper than wood, but Mr. Enhörning, the Vice-Consul of the district, states that it is too early as yet to be able to pronounce as to their success or failure.

The most serious attempt to manufacture a cheap fuel from peat that I have been able to hear of in this country has been made by a Lieutenant Ekelund at Vinberg, in the south of Sweden.

A patent was taken out by him for his process about eighteen months ago, but though he has since actually started his manufactory, it cannot be said to have passed as yet beyond the experimental stage.

I have, &c.

(Signed) M. STRICKLAND CONSTABLE

*Information on the Present Position of Peat Products in Sweden, by
Herr Palmberg.*

The peat bogs of Sweden cover an immense surface, amounting to many millions of acres, nor are they confined to any one part of the Kingdom, though the largest of them are either in the extreme northern provinces, or in the Provinces of Dalecarlia, Vermland, Småland, Halland, and North Scania.

In Upper Noorland and in Lapland, there are peat bogs hundreds of square miles in size, and consisting of turf of excellent quality; in other provinces the bogs have turf of different qualities, and occasionally different qualities of turf is met with in one and the same bog.

The depth of the turf varies from 3 to 37 feet, and even more.

It is an old custom in the southern provinces to burn turf as fuel in private dwellings; especially is this the case in the provinces along the coast, where there is no wood to spare for burning. To a certain moderate extent bogs were also formerly used for raising crops. But for the last thirty or forty years increasing attention has been paid to the profits attainable from Sweden's plentiful supply of peat bogs, both as regards their cultivation and as regards the fuel to be obtained for them for use in dwellings and in manufactories. During the last ten years increasing interest has also been evinced in the supply of peat litter.

To show the possibilities of their cultivation, it may be mentioned that over 600,000 acres of bog have been brought into cultivation in the southern and central provinces during recent years. In these same provinces, turf for burning is now cut out in enormous quantities every year by most of the ironworks and other industrial establishments situated inland, and possessing bogs of their own.

There are numerous ways of treating the turf (when cut) by machinery. There are different machines for disintegrating, rolling, and pressing it, and making it hard after drying.

The actual drying generally takes place on a flattened-out piece of the bog itself, either by spreading it out or putting it up on frames.

Besides the above air drying of the turf, several ironworks have of late years established ovens of various sorts for the further dissection of the turf. These ovens have in general given very good results. They are heated by the surplus heat of the furnaces, which thus costs nothing, and yet the turf gains from 25 to 30 per cent. in value from the process.

The ordinary turf for burning in dwelling-houses in the southern provinces where wood is scarce is chiefly cut brick-shape by spades made for the purpose, and then dried at the place where it is cut, by simply spreading it out in small heaps. It costs very little to cut, but is rather loose, owing to its being treated in so primitive a fashion.

Such turf as is intended for industrial purposes is always

worked up or disintegrated in one way or another, so as to be hard and solid when dried, and thus give more heat when burnt.

At ironworks turf is used in the furnaces either by itself, or else mixed with coal and fir cones. At wood-pulp factories, it is used for drying the pulp. Turf is also burnt in glass-works, brick-works, and as fuel for steam engines, &c.

It is only in the south of Sweden, and even there in but few cases, that there are factories for the preparation of turf for sale as fuel.

It is impossible to give any exact figures as to the amount of prepared turf yearly produced in Sweden for burning, as no figures are recorded. Its use is increasing year by year, owing to its being a cheaper fuel than coal. About 25,000 to 30,000 tons a-year may be said to be employed in metallurgic works of different kinds.

The cost of producing well-made turf for fuel may be given as from 4s. 4d. to 5s. 5d. per ton, according to the price of labour in different places. Good turf for fuel is expected to contain from 30 to 40 per cent. of heating material, and not above 7 to 10 per cent. of ash, and there is an enormous quantity of such turf in Sweden.

Of late years quite large quantities of peat litter has been prepared in Southern and Central Sweden, partly by twenty large peat-litter factories which produce it for sale, and partly by private owners of peat bogs, who take it for their own use. It is of the very best quality, far excelling that produced in other countries. This peat litter is made from pure sphagnum, or immature moss turf unmixed with other sorts of moss.

Each peat-litter factory makes about 15,000 to 30,000 bales (200 lbs. each), and is sold here in Sweden for about 1s. 8d. per bale. A much finer quality (called "Torfmull") sells for from 1s. 11d. to 2s. 2d. per bale.

(Signed) TH. PALMBERG.

Stockholm, August 15, 1892.

Notes on Turf Litter from a Lecture by Herr L. F. Nilson, and from Personal Observation of Herr Levander's Machine at Gothenburg.

Herr Samuelson, of Marieberg, in Vermland, has for many years past found it a good plan to cut out the turf in the autumn or winter, or in the spring before the night frosts have ceased. Not only is the work done at a comparatively idle time of the year, but the turf having been frozen once, afterwards, when the warm weather comes, dries much more quickly and thoroughly than it would do if it had not been frozen.

Peat litter keeps cows cleaner and handsomer than straw litter

does, and the same is the case with pigs, but not so for sheep, as the fine dust gets into their wool.

Even if straw be preferred for the stalls, peat litter should at any rate be used in the drain behind the animals.

Owing to the retention of heat by peat litter, and its being a hindrance to putrefaction, as also its property of retaining moisture, it is excellent for propagating beds, whether for seedlings of vegetables, for mushrooms, or for many hot-house plants.

There used to be great difficulty in disposing of the lye remaining after liquid sugar had been treated with strontia in factories; now peat litter is used to absorb it, and the product is an excellent manure.

Experiments were made near Stockholm, from 1887 to 1890, as to the comparative excellence of turf poudrette and other manures, the turf poudrette being prepared at the municipal works.

Barley, clover, potatoes, and mixed seeds (for green fodder) were planted on plots of clay soil of from 250 to 350 square yards each. The mixed seeds were barley, oats, and vetches.

The value of the manures used were—

				Per Acre.
				£ s. d.
In 1887 and 1888	..	..	..	2 2 0
In 1889	..	..	..	1 16 0
In 1890	..	..	..	3 4 0

Farmyard manure was reckoned as worth 3*d.* per 100 quarts (say, 1*d.* per bushel).

Turf poudrette was reckoned as worth 7½*d.* per 100 quarts.

Peruvian guano and fish guano were reckoned at market prices of the day.

Out of many experiments the following Table gives the result in five cases.

The reckoning, being the amount of kilogrammes produced per hecstar (2½ acres), is only given for the sake of the comparative result of the different manures in competition with each other:—

	1887.		1888.	1888.	1889.		1890.	
	Barley.		Green Clover.	Potatoes.	Mixed.		Mixed.	
	Ear.	Straw.			Ear.	Straw.	Ear.	Straw.
Kilog.	Kilog.	Kilog.	Kilog.	Kilog.	Kilog.	Kilog.	Kilog.	
Unmanured ..	1,900	2,340	9,050	6,665	1,960	2,950	3,250	3,220
Turf poudrette (a) .	3,170	3,410	11,475	..	..	..	..	..
„ (b) .	3,130	3,410	12,075	11,750	3,200	4,500	4,050	5,630
Farmyard manure .	1,970	2,690	12,075	..	2,000	4,130	3,700	4,800
Dissolved Peruvian guano..	3,470	3,790	10,880	12,750	2,230	3,520	3,500	5,090
Fish guano ..	2,540	4,350	8,675	11,260	2,390	2,950	3,450	4,310

One of the most ingenious machines for making poudrette is the "Concentrator" of Herr Levander. This engineer has placed his machine near the municipal works of Gothenburg, whence he buys the solid or dry drainage, mixed with peat litter, and burns it in great rotating vessels, the gas issuing during combustion, being simultaneously burnt by a small fire. His poudrette sells well, and not the slightest noxious gas is perceived in the neighbourhood.

The old practice of mixing lime with the solid refuse is gradually being abandoned at Gothenburg, and peat litter substituted. The sheds where the lime mixture is kept are impossible to stay in for five minutes. Those where the peat litter mixture is kept are not markedly disagreeable. It is only fair to add, however, that lime kills all microbes in a way not equalled by peat litter.

COMMERCIAL. No. 10 (1893).

R E P O R T S

FROM

HER MAJESTY'S CONSULAR OFFICERS

ON

EXEMPTIONS IN FOREIGN COUNTRIES FROM
RATING AND TAXATION OF MANUFACTORIES, AND
MACHINERY USED IN MANUFACTORIES.

*Presented to the House of Commons by Command of Her Majesty, in pursuance of
their Address, dated June 16, 1892.*

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RETURN to an Address of the Honourable the House of Commons, dated
June 16, 1892; for—

“Returns, from British Consular Officers abroad, of exemptions in foreign Countries from rating and taxation of Manufactories and Machinery used in Manufactories, and of any free grants of land by Municipalities or States to such Manufactories, showing the effects of such exemptions and grants on the industry and prosperity of the localities where they are in force.”

Circular addressed to Her Majesty's Consular Officers in Austria-Hungary, Belgium, France, Germany, Italy, Switzerland, and the United States.

Sir,

Foreign Office, June 27, 1892.

I AM directed by the Marquis of Salisbury to instruct you to send home a Return showing any exemptions, within your Consular district, from rating and taxation of manufactories, and machinery used in manufactories; and of any free grants of land by Municipalities or States to such manufactories; and showing the effects of such exemptions and grants on the industry and prosperity of the localities where they are in force.

I am, &c.

(Signed) T. V. LISTER.

Replies to preceding Circular.

AUSTRIA-HUNGARY.

No. 1.

Consul-General Schoeller to the Marquis of Salisbury.—(Received July 8.)

My Lord,

Vienna, July 5, 1892.

I HAVE the honour to acknowledge the receipt of the Circular dated the 27th June, and, in reply to the same, to inform your Lordship that, within this Consular district, no exemptions exist from rating and taxation of manufactories and machinery used in manufactories, nor are there any free grants of land by Municipalities or the State to such manufactories.

I have, &c.

(Signed) PAUL VON SCHOELLER.

No. 2.

Acting Consul-General Brüll to the Marquis of Salisbury.—(Received July 29.)

My Lord,

Budapest, July 26, 1892.

WITH reference to your Lordship's Circular despatch of the 27th June, I have the honour to transmit herewith a Report I have drawn up on the exemptions from rating and taxation of manufactories and on other facilities granted for the encouragement of the national industries in Hungary.

I have, &c.

(Signed) I. BRÜLL.

Inclosure 1 in No. 2.

Report on the Exemptions from rating and taxation of Manufactories and on other facilities granted for the encouragement of the National Industries in Hungary.

THE first legislative measures introduced by the State for the encouragement and development of the national industries in Hungary are laid down in the Law 44 (now repealed) of the year 1881.

According to the provisions of this Law, facilities were to be granted to all manufactories which are constructed in compliance with modern technical requirements, and manufacturing such articles as are not already manufactured in Hungary.

The same facilities were to be granted to all those manufactories already existing or to be established according to the requirements of modern technics, which produce brass and brass plate, zinc and zinc plate, wire and wire tacks, composite metal wares, enamel iron pots, machines for making tools, steam-engines, and boilers, power machines, pianos, electro-dynamical constructions, weapons, china, plate-glass and mirrors, glass with regenerative heating apparatus, india-rubber, caoutchouc, fibrous substances (cellulose), wall-paper, conserves, brandy, soda, sulphuric acid, asphalte, rice mills, alcoholic distilleries established on agricultural estates, silk spinning, weaving, and dyeing factories; wool spinning, weaving, and finishing factories; cotton spinning, weaving, and bleaching; flax and hemp preparing establishments; flax and hemp spinning, weaving, bleaching, and finishing factories; hosiery factories, cloth thread factories provided with Mule Jenny machines of 120 spindles; cloth factories working with at least six looms; cotton, flax, and hemp weaving factories provided with at least ten mechanical looms.

The facilities afforded to such factories were the following:—

1. Exemption till the end of the year 1895 from the tax levied on the earning and on the profits of public Companies (limited liability Companies), as well as from the municipal taxes, from the general additional income tax, and also from the fees payable to the Commercial Chambers.

2. Exemption from the dues payable on the purchase and conveyance of factory grounds, and, lastly, from stamp duty and such dues as are leviable on Agreements and other documents connected with the formation of new limited Companies and the issue of shares.

3. Supply of the manufactories by the State at exceptional prices, with such quantities of unrefined salt as is necessary for manufacturing purposes.

It may also be mentioned that, owing to the general provisions of the Law 51 of the year 1870, all factory buildings, as

well as such workmen-dwellings which are allowed by the masters to be used by their workmen free of rent, are exempt from house tax.

By a Law (3) passed in the year 1887, the facilities above specified (Law 44 of 1881) have been extended also to mining works which extract metals by washing or amalgamation.

It is stated in the Government Reports that the Laws 44 of 1881 and 3 of 1887 have been successful in their operation.

Within the period of eight years from the 1st January, 1882, till the 31st December, 1889, State facilities were accorded to 191 industrial undertakings and 271 agricultural distilleries under the said Laws.

It can scarcely be asserted that it was solely owing to the facilities granted by the two above-mentioned Laws that the various industrial undertakings, to which allusion has been made, were brought into being. Other motives and factors exercised their influence.

At the same time, there is no doubt that exemption from the tax on earnings and profits, which runs as high as 10 per cent. on the net receipts, has, in connection with the other facilities, stimulated industrial enterprise, and has been a strong inducement to establish factories which otherwise might never have been called into existence.

As regards the rapid progress to be observed in the establishment of agricultural distilleries, it must be borne in mind that this cannot fairly be looked upon as merely the result of the operation of the Laws above mentioned, but also as a natural effect of the financial laws in force which accord, as regards the tax payable on the amount of alcohol produced, lower rates to the agricultural distilleries than to the "industrial distilleries" (established in towns).

The Government, in order to stimulate the national enterprise and to give further impulse to the establishment of industrial undertakings, decided to bring in a new Bill extending and developing the provisions of the said Law 44, 1881.

This Bill was passed, and the Law (13) came into force in April 1890.

The alterations made in the new Law as against the former Law are summed up in the following :—

The exemption granted in the former Law from the dues payable on the purchase and conveyance of factory-grounds has been extended by the new Law also to the buildings which may already be on the grounds, and exemption is henceforth granted also from the additional dues payable on such purchases and conveyances to the Municipalities.

New facilities have been granted by the authorization of the Government to transport at actual cost on all the Hungarian State railways and on such railways which enjoy State guarantee the building materials, machines, and parts of machinery required for the construction, enlargement, equip-

ment, and fitting of the factories to which the State facilities are granted.

By virtue of the new Law, the right for the lawful expropriation of the factory grounds is granted to the undertakings on such real properties of the State or Municipalities which serve agricultural purposes or are lying fallow and not used for scientific or other public purposes.

The new Law extends the State facilities over and above the factories specified in the Laws 44, 1881, and 3, 1887, to the following industrial branches:—

Tinned sheets, lead pipes, pins and needles, iron tools, implements, and builder's iron, articles of gold and silver wire, articles made of wire, scientific instruments, pottery goods, earthenware pipes, drainage pipes, fire-bricks, tannin, sulphurate of carbon, artificial manure, malt, dextrin, glucose, dye-stuffs, vegetable and mineral oil, size, chocolate, chichory, and coffee surrogates, cured, dried, smoked meat sausages, and similar articles, provided they are prepared for export; paper-stuffs, packing-paper, toys, silk filature, wool-washing, fringe and cord factories, embroidery and felt factories, jute spinning, weaving, bleaching, and finishing factories.

According to the provisions of the former Law (44, 1881), the State facilities could only be granted till the end of the year 1895, whereas the new Law empowers the Government to grant the State facilities for a maximal period of fifteen years, to be reckoned from the starting of the factory. The new Law remains in force till the end of the year 1899, but the facilities granted under the same will be maintained for such a time as they were granted.

The Minister of Commerce states in his Report for the year 1890 that within that year State facilities under the new Law were granted to thirty-six industrial undertakings and to thirty-five agricultural distilleries, which is a proof for the favourable effect of the provisions of the new Law on the industrial enterprise.

Further measures were introduced for the encouragement of the national industries by the Law 14 of the year 1890 granting privileges and facilities to financial institutions which have a fully-paid-up share capital of at least 5,000,000 florins (about 430,000*l.*), which are formed with the principal object of creating new industries or to come to the aid of industries already existing and to grant credit at the lowest possible rate of interest to the owners of industrial undertakings.

The Government is empowered by that Law to grant to such institutions exemption from all stamp duties and fiscal dues payable on the formation and on the first and further issues of share, to grant exemption for fifteen years from the tax imposed on the profits of public Companies, from the general additional income tax and also from all municipal and local rates. These exemptions, however, are only granted with regard to such amount of the annual profits which do not exceed 6 per cent. of

the share capital and always provided that such profits were made through the formation of industrial undertakings (enjoying State facilities), either independently or by co-operation with others, or through the financing of the capital or by the working of such industries, or, finally, by participation in already existing or newly-established industrial undertakings, or by the financial aid given to such industries.

Under this Law a Banking Company, limited by shares, has been established at Budapest, with a fully paid-up capital of 5,000,000 florins (about 430,000*l.*), under the name "Magyar Ipar és Kereskedelmi Bank, Részvénytársaság" (Hungarian Industrial and Commercial Banking Company, Limited), which began to work on the 1st July, 1890.

Although there are no Laws or Regulations in force which would secure any free grant of land by Municipalities or the State to the manufactories, experience shows that the Municipalities were in many instances ready to grant, on special application, the necessary land either gratis or at exceptionally moderate terms to such new manufactories which were expected to contribute to the prosperity of their locality.

The following is the translation of the Laws 13 and 14 of the year 1890 at present in force with regard to State facilities to be granted to certain manufactories and banking establishments:—

Inclosure 2 in No. 2.

XIII.—*Act of 1890 respecting the granting of Facilities and Exemptions from Rates and Taxes by the Hungarian Government to the Inland Industry.*

Section 1.—THE Government is prepared to grant facilities to:—

1. Such factories constructed and fitted in compliance with modern technical requirements, and manufacturing such articles as are not already manufactured within the territory of Hungary;

2. The following factories constructed and fitted in compliance with modern technical requirements already existing or whose erection is intended, viz.:—

(a.) Such wherein are produced: articles of brass, brass plates, zinc, galvanized sheets and articles of zinc, tinned sheets (tin plates), lead pipes, wire, wire nails, articles of metal alloys, enamelled iron goods, pins and needles and similar articles, iron tools, implements, and builders' iron, small arms, articles of gold and silver wire, scientific instruments, machines for the manufacture of tools, motors, boilers, and electrodynamos.

(b.) Such wherein are manufactured porcelain and china, pottery goods, earthenware pipes, drainage pipes, fire-bricks, and glass, the latter if produced by regenerative ovens;

(c.) Such wherein are manufactured caoutchouc-cellulose

tannin, soda, sulphuric acid, sulphuret of carbon, asphalt, artificial manure, malt, dextrin, glucose, dye-stuffs, vegetable and mineral oil, size, chocolate, chicory and coffee-substitutes factories;

(d.) Brandy distilleries and preserve factories;

(e.) Such factories which prepare cured, dried, smoked meat, sausages and similar articles, provided they work also for the export;

(f.) Paper-hanging factories, paper-stuff factories, and such paper factories as produce packing paper;

(g.) Toy factories;

(h.) Pianoforte factories;

(i.) Rice-dressing mills;

(j.) Silk filature spinning and weaving factories, wool spinning and weaving and wool-dressing factories, cotton spinning and weaving and bleaching factories, flax and hemp-preparing factories, linen, hemp and jute-spinning and weaving factories, also linen, hemp, and jute bleaching and dressing factories, hosiery factories, fringe and cord factories, embroidery factories and felt factories;

(k.) Such mining undertakings as extract the metals by washing, amalgamation, or by means of electricity; finally

(l.) Agricultural distilleries.

Sec. 2.—To the factories mentioned in section 1, there will be granted—over and above the exemption from the house tax already conceded by section 2 of Act 3, 1870—the following facilities:—

(a.) Exemption from the trade tax respectively mining tax, from the tax imposed on undertakings which are by law compelled to publish their accounts, also exemption from all local rates, Chamber of Commerce fees which might be levied on the aforementioned taxes, finally exemption from the general addition to the income tax;

(b.) Exemption from fees and local rates levied in connection with the purchase and the transfer of factory plots or buildings, and in case of limited Companies, exemption from stamp duties and fees which would have to be paid on the Agreements and other documents relating to the founding of a limited Company, or an increase of the capital of an existing Company;

(c.) The Minister of Finance is empowered to supply the above-mentioned factories with such quantities of unrefined salt as they may require for manufacturing purposes at the price stipulated by section 13 of Act 50, *ex* 1875, also to fix the amount of caution-money to be deposited in connection with the salt supply in accordance with the last-mentioned section;

(d.) The facility mentioned in section 159 of Act 1, 1890, applies also to the industrial undertakings favoured by virtue of the present Statute.

[The above-mentioned section 13 of Act 50, *ex* 1875, fixes the price of unrefined rock salt in the Marmarascher Comitát and in Transylvania at 38 kr., Austrian currency, of house-

hold salt at Sóvár at 1 fl. 16 kr., of sea salt at Fiume at 1 fl. 45 kr. per 100 kilog.

The caution-money is fixed at 20 per cent. of the monopoly sale price stipulated by the Royal Salt Office.

Section 159 of Act 1, 1890, stipulates that the favoured factories are exempted from the municipal road rates for the period during which they are favoured.]

Sec. 3.—The question whether an industrial undertaking, for which the favours and exemptions as mentioned by this Statute are sought after, complies with the requirements laid down in section 1, and as such may be favoured and exempted as desired, respectively whether the desired favours and exemptions may be granted, will be decided by the Minister of Commerce; and as regards factories mentioned in sub-section (l) of section 1, by the Minister of Agriculture in conjunction with the Minister of Finance, and all those cases wherein agriculture and forestry appear to be concerned, by the Minister of Commerce in conjunction with the Minister of Agriculture.

The commencement and the duration of the facilities and favours are also determined by the Minister of Commerce, respectively, by the Minister of Agriculture in conjunction with the Minister of Finance, with the limitation, however, that facilities and favours may not be granted for a longer period than fifteen years from their commencement.

The favours extended to an industrial undertaking may, in accordance with this Statute, be renewed from time to time in the interest of its existence and development; the total period, however, during which facilities and favours may be granted is limited to fifteen years.

In the interest of the continuance and development of such factories as have already been favoured by the Government in accordance with Act 44 *ex* 1881, the present Statute may also be extended to these factories; nevertheless the total period for which facilities and favours may be granted in accordance with Act 44 *ex* 1881, respectively with Act 3 *ex* 1887, as well as with the present Statute, is also in this case limited to fifteen years.

Sec. 4.—The Minister of Commerce is entitled and empowered to grant rates, not exceeding actual cost, on all the Royal Hungarian State railways, and such railways as are subventioned by the State, for the carriage of the building materials, machines and parts of machinery required for the erection, enlargement, equipment, and organization of the factories mentioned in section 1.

Sec. 5.—The factories to which, in accordance with this Statute, favours and facilities are to be granted by the Government are to number among those undertakings in whose favour, in accordance with Act 41, *ex* 1881, either a definite or temporary expropriation may take place, with this limitation, however, that in accordance with Act 41, *ex* 1881, only such immovable properties respectively properties of the State, the

municipal authorities, local authorities (towns) may be expropriated as serve agricultural purposes, or are fallow, and as are not used for scientific or other public purposes.

Sec. 6.—The decision as regards the granting of the favours and facilities (section 3) is to be published in the “Official Gazette.”

Sec. 7.—The Act 41 of the year 1881, and the Act 3 of the year 1887 are repealed with the coming in force of the present Statute; all favours and facilities, however, already granted to individual undertakings in accordance with the said Acts are not hereby touched.

Sec. 8.—In carrying out this Act as regards Croatia and Slavonia, the Minister of Commerce will act in conjunction with the Governor (“Banus”) of Croatia, Slavonia, and Dalmatia; the carrying out of section 5, as regards Croatia and Slavonia, is, however, placed in the hands of the Croatian-Slavonian-Dalmatian “Banus.”

Sec. 9.—The present Statute comes in force on the day of its publication in the Code of Laws, and will remain in force up to and including the 31st December, 1899, in maintaining the favours and facilities granted by virtue of the same; the Ministers for Commerce, Agriculture, and Finance are intrusted with the carrying out of this Act.

XIV.—*Act of 1890 respecting the granting of Facilities to Banking Corporations who give aid to the Inland Industries.*

Section 1.—Should a limited liability banking Company, having [its head office at Budapest, and a fully-paid-up share capital of at least 5,000,000 florins, for the development of the inland trade and industry, be formed, with the principal object of founding and creating new branches of industry in the dominions of the Hungarian Kingdom, and of developing and aiding industries already existing, and also of giving credit at the lowest possible rate of interest to owners of factories and workshops, and to industrial undertakings, then the Minister of Finance is empowered, in conjunction with the Minister of Commerce, to grant to such Company the following favours and facilities:—

(1.) The Company may be exempted from all stamp duties and judicial fees which would have to be paid on its formation for the first or any further emission of share capital. The stamp duty on the coupons of the shares is not included in this exemption.

(2.) The limited Company may, for a term of fifteen years, and beginning with the day of its establishment, be exempted from the tax imposed on undertakings and Societies which are by law compelled to publish their accounts, from the general addition to the income tax, and also from all municipal and local

rates which might be levied on the afore-mentioned taxes. These exemptions are, however, only granted with respect to such income, the amount of which is not more than 6 per cent. of the share capital, and which the limited Company—

(a) may have earned through founding industrial undertakings and factories, either by itself or by co-operation with other establishments, through the financing of the capital or the working of such undertakings or factories, provided such undertakings and factories belong to the class for which a special Law secures favours and facilities by the State ;

(b) may have earned through participating in newly-founded or existing industrial or factory undertakings respectively, or through giving financial aid to such undertakings, provided such branches of industry belong to the class for which a special Law secures favours and facilities by the State.

The part of the income of the limited Company over and above 6 per cent. of the share capital, as also any and every income derived from purely banking business, or from any other source, is subjected to the stipulation of the existing taxation Laws.

As regards the exemption from rates and taxes of the income specified in the sub-sections (a.) and (b.) of this section, it shall make no difference whether an undertaking or a factory belongs to one or more persons or a Company, or is worked by one or more persons or a Company.

The participating or financial aid mentioned in sub-section (b) of this section is not to be taken to mean money-lending or credit-granting or discounting business, but only such help through the capital of the limited Company involving a participation in the profits and losses of such undertaking.

Sec. 2.—The favours and facilities enumerated in the foregoing sections shall not be invalidated if, during the term of fifteen years for which they are granted, an alteration takes place in the existing laws respecting rates and taxes and fees.

Sec. 3.—The Minister of Finance and the Minister of Commerce, acting in conjunction, are empowered to grant the favours and facilities specified in section 1, on the conditions and obligations also specified in section 1, to any other, either already existing or newly founded inland financial institute.

Sec. 4.—The Minister of Finance regulates, by means of Orders in Council, the procedure respecting the announcement of the businesses exempted from the stamp fees, the declaration of the income exempted from rates and taxes or subject to the same, and also the control over the working of the limited Company necessary for purposes of the rates and taxes.

Sec. 5.—The Minister of Finance and the Minister of Commerce are intrusted with the carrying out of this Act.

No. 3.

Consul Faber to the Earl of Rosebery.—(Received September 6.)

My Lord,

Fiume, August 19, 1892.

WITH reference to Circular despatch of the 27th June last, I have the honour to report that no exemptions from rating and taxation of manufactories and machinery used in manufactories exist except those enumerated in the Law 13 of 1890, which took the place of the so-called "Industriegesetze" 44 of 1881 and 3 of 1887, the provisions of which are general, for which reason it would be impossible to enumerate each particular instance of exemption from rating and taxation resulting therefrom.

Beyond these enactments, and with reference specially to Fiume, I am aware of two instances only in which, practically, facilities have been granted, viz.: the letting of a quay warehouse to the Budapest Steam-mills by the Maritime Government at a mere nominal rent, for storing and packing flour for the Brazils; and the grant of a long lease of a piece of ground, also at a mere nominal figure, to a barrel factory, also for the Brazil flour export trade.

I have, &c.

(Signed)

GEO. L. FABER.

No. 4.

Consul Haggard to the Earl of Rosebery.—(Received April 18.)

My Lord,

Trieste, April 14, 1893.

IN reply to the Foreign Office Circular despatch dated the 27th June, 1892, I have the honour to report that exemption from rating and taxation of manufactories is granted only on such industries as are altogether new, and which do not interfere or clash with the interests of those already established in the Austrian Empire, or in such cases where those already in existence are not sufficient to meet the public demand.

Such new industries or manufactories are exempt from the Government income tax for twelve years.

Furthermore, all new buildings, whether for manufactories or other purposes, are exempt for a period of twelve years from the Government income tax, but have to pay the municipal tax ("tassa comunale") and also a municipal rent tax ("Soldo Pigion").

For example—				Fl. kr.
Say a house gives a gross rental of	..	..		1,000 00
From which an allowance of 15 per cent. is deducted for repairs, &c...	..	..		150 00
Leaving a net rental of				850 00
Upon which sum (850 florins) the full tax is 26½ per cent., equal to	..	..		226 67
Of which sum (226 fl. 67 kr.) 80 per cent. is the Government income tax, equal to	..	..		181 34*
Upon which sum (181 fl. 34 kr.) 17 per cent. is the municipal tax, equal to	..	..		30 83†
A further 2 per cent. municipal rent tax ("soldo pigioni") is charged on the gross rental (1,000 florins), equal to	..	..		20 00†

This is an approximate calculation.

In the case of the property being mortgaged, there is a further Government tax charged of 5 per cent. on the interest of the mortgage, beside the municipal tax of 17 per cent. and the 2 per cent. municipal rent tax.

There are no free grants of land made by the State or Municipality for such manufactories.

The effect of the said exemptions on the industries and prosperity of this immediate locality (which, merely confined to Trieste) has so far been productive of very meagre results, for since the abolition of the Free Port, now nearly two years ago, the only manufactories which have come into existence are the petroleum refinery, already at work, an oil-crushing mill, and a rice-peeling factory. The two latter now in the course of erection, beside one or two other small concerns of minor importance.

The principal reason to which is to be attributed this poor and slow development of industrial enterprise in this district is the inexperience and want of technical knowledge of its inhabitants. There is no lack of capital, but the people are very shy to embark in enterprises upon which they have no personal knowledge or experience, and for the proper working of which they have to depend upon foreign management.

I have, &c.

(Signed)

JOHN G. HAGGARD.

* Exempt for twelve years.

† Not exempt.

BELGIUM.

No. 5.

*Acting Consul-General Lydcotte to the Marquis of Salisbury.—
(Received July 16.)*

My Lord, *Antwerp, July 15, 1892.*

BEFORE proceeding on leave of absence, Mr. Consul-General de Courcy-Perry instructed me to take steps to obtain the necessary information for replying to the inquiry contained in Sir Villiers Lister's Circular despatch of the 27th June last.

I have now the honour to report to your Lordship that I have ascertained from reliable sources that no exemptions of any kind are granted to manufactories in Belgium.

I have, &c.

(Signed)

WILLIAM LYDCOTTE.

FRANCE.

No. 6.

Consul Drummond to the Earl of Rosebery.—(Received May 3.)

My Lord, *Ajaccio, April 27, 1893.*

WITH reference to your Lordship's Circular despatch of the 27th June, 1892, as to the ratings and taxation of machinery, I have the honour to inclose herewith a Report on the subject.

I have, &c.

(Signed)

MALCOLM DRUMMOND.

Inclosure in No. 6.

*Report on the Rating and Taxation of Manufactories and Machinery
used in Manufactories in Corsica.*

THERE are no manufactories of any importance in Corsica, the only two industries approaching thereto being some saw-mills for heather roots, which are exported in the rough for pipes, near Ajaccio, and an establishment for candying citrons in Bastia; the latter enjoys a rebate on the sugar duties, to encourage the industry.

Mines employing machinery are rated on the value of the buildings, and pay 5 per cent. on net profits under existing mining laws.

There are no special exemptions except that above mentioned for sugar, and the candying industry has not been extended in consequence.

(Signed)

MALCOLM DRUMMOND.

No. 7.

*Acting Consul-General Maxse to the Marquis of Salisbury.—
(Received July 8.)*

My Lord,

Algiers, July 5, 1892.

IN reply to Foreign Office Circular despatch dated the 27th June, I have the honour to report that there is no exemption from rating or taxation of manufactories in Algeria; nor have any free grants of land been made by the Governor-General or the local authorities to such manufactories.

I may, perhaps, be allowed to mention that there is only one kind of manufactory now working, and this is that of steam flour-mills; but up to a few months ago, many distilleries and spirit manufactories were doing a good trade throughout the Colony. Owing to the new excise duty of 80 fr. per 100 degrees of spirit lately imposed on all alcohol, the manufactories are now standing idle, and their owners are practically ruined.

I have, &c.

(Signed)

ERNEST G. B. MAXSE.

Consul Ward to the Marquis of Salisbury.—(Received August 1.)

My Lord,

Bordeaux, July 29, 1892.

WITH reference to Sir T. V. Lister's Circular despatch of the 27th ultimo, conveying to me your Lordship's instructions to furnish a Return showing any exemption within this district from rating and taxation of manufactories and machinery used in manufactories, and of any free grants of land by Municipalities or by the State to such manufactories, I have, after making careful inquiries, now the honour to report to your Lordship that there are not in this district any manufactories or machinery used in manufactories which are exempt from rating or taxation, nor are there any manufactories which enjoy free grants of land either from the State or from Municipalities.

I would beg leave to add, that there is at Bordeaux a large Government tobacco manufactory, which has existed here since the year 1816, and now employs about 1,500 hands, and which is exempt from taxation, as it belongs to the State.

I have, &c.

(Signed) WILLIAM WARD.

Consul Hoare to the Marquis of Salisbury.—(Received August 1.)

My Lord,

Brest, July 30, 1892.

WITH reference to Sir Villiers Lister's Circular despatch of the 27th ultimo, I have the honour to report to your Lordship that I am informed by the Prefects of the departments within my Consular district, that there are no exemptions in those departments from rating and taxation of manufactories and machinery used in manufactories, nor are there any free grants of land, either by the Municipalities or the Government to such manufactories.

I have the honour to enclose a *nil* return accordingly.

I have, &c.

(Signed) W. R. HOARE.

No. 10.

Consul Bonham to the Marquis of Salisbury.—(Received July 7.)

My Lord,

Calais, July 6, 1892.

I HAVE the honour to report, in reply to Circular despatch of the 27th ultimo, that I am informed that in this immediate district no manufactories, nor any machinery used in manufactories, are exempt from rating and taxation, nor have any free grants of land been made by the State or by Municipalities, for the erection of manufactories. I have made inquiries in the more distant parts of my district, and have received similar information.

I have, &c.

(Signed) E. W. BONHAM.

No. 11.

Consul Vereker to the Earl of Rosebery.—(Received September 1.)

My Lord,

Cherbourg, August 29, 1892.

I HAVE the honour to inclose a Report in reply to the inquiries made in Sir T. V. Lister's Circular despatch of the 27th June last, with reference to exemption of manufactories, and machinery used in manufactories, from rating or taxation, and to free grants of land to manufactories by Municipalities or States.

I have, &c.

(Signed) H. P. VEREKER.

Inclosure in No. 11.

Report on any exemptions from Rating and Taxation of Manufactories and Machinery used in Manufactories, and of any free grants of Land by Municipalities to such Manufactories within the District of Her Majesty's Consul at Cherbourg.

I HAVE caused inquiries to be made in the Department of La Manche and adjoining departments, and I have been unable to discover any witnesses in which exemptions from rating and taxation are granted to manufactories or to machinery used therein. I refer to private industrial establishments.

It appears that all manufactories in this Consular district are carried out according to the general laws applicable throughout

France, and that there exist no special exemption of taxation in their favour.

Likewise free grants of land are not conceded by the State, or by Municipalities, in benefit of manufactories. There are instances in which manufactories, such as flour mills, cord waning, &c., have been built on land belonging to a Municipality, but the directors of those establishments pay rent similarly to the neighbouring occupiers.

Under the general Customs Tariff now in force, heavy customs duties are chargeable on the importation of machinery to be used in manufactories and agriculture, and I am assured by the Custom-house officials that no remission of duty takes place in consideration of the useful purposes to which such machinery is to be applied.

In regard to newly-built manufactories, a small favour is, however, granted, for the taxes of light ("portes et fenêtres") are not usually levied in the first three years of its existence; this is in conformity with a general and ancient custom.

Mr. Vice-Consul de Veulle, regarding the district of Le Mans, states:—

1. No manufactories or machinery are exempted from taxation in this Vice-Consular district.

2. No free grants of land have been made to manufactories by the French Government or by Municipalities in this district.

I may observe that the levying of rates and taxes have of late years, and specially since 1870, been far more severe in this district than formerly.

(Signed) H. P. VEREKER.

Cherbourg, August 29, 1892.

No. 12.

Consul Taylor to the Marquis of Salisbury.—(Received July 21.)

My Lord,

Dunkirk, July 19, 1892.

WITH reference to the Circular despatch of the 27th ultimo, I beg to hand to your Lordship, herewith inclosed, my Report respecting exemptions from rating and taxation of the manufactories situated at Dunkirk.

I have, &c.

(Signed) EDWARD TAYLOR.

Inclosure in No. 12.

*Report respecting exemptions from Rating and Taxation of
Manufactories at Dunkirk.*

THERE are no special exemptions from State or local taxation in favour of the manufactories at Dunkirk, nor can I learn that any State or municipal aid (such as free grants of land or subventions) has been granted to them.

The three jute and two cotton spinning-mills at Dunkirk are exempt from the door and window tax ("contribution des portes et fenêtres"), which tax from the 1st January, 1894, is to be taken off all buildings used for industrial purposes. Manufacturers also enjoy a reduction on the land tax ("contribution foncière des propriétés bâties") which is calculated on the letting value of the buildings, two-thirds only of the letting value being taxed, whereas three-fourths of the letting value of houses is taxed.

The local taxes ("octroi") of 2s. per ton on coal, and 6s. 3d. per cwt. on oil, are not paid by manufacturers on the coal and oil actually used in their factories; the exemption of these two articles from "octroi" is, I believe, granted, in order not to place manufactories inside an "octroi" district, at a disadvantage, compared with those that may be situated outside the district.

As the above-mentioned exemptions are not peculiar to Dunkirk, they have no special effect on the industry and prosperity of the town.

I have, &c.

(Signed) EDWIN TAYLOR.

Dunkirk, July 19, 1892.

No. 13.

*Consul-General Bernal to the Marquis of Salisbury.—(Received
July 22.)*

My Lord,

Havre, July 21, 1892.

REFERRING to Sir T. V. Lister's Circular despatch of the 27th ultimo, instructing me to report any exemptions in my Consular district from rating and taxation of manufactories, and machinery used in manufactories, &c., I have the honour to inform you that the only exemptions are as follows.

A certain class of manufactories, such as spinning, weaving, and paper mills, soap-boiling, &c., are exempt from the door and window tax, provided they employ a certain number of workpeople, but a case has been told me where a rope-walk having thirteen windows and two workmen, has to pay the tax,

while another with fifty-five windows and eighty workmen, is exempt.

All new factory buildings are exempt from the land tax for a period of two years, provided a declaration has been made to the authorities within four months of their commencement. No concessions or free grants of land have been made for manufacturing purposes by municipal or other authorities. I do not think the above-mentioned exemptions are of sufficient importance to have exercised any marked effect on the prosperity of the manufacturing interest.

I have, &c.
(Signed) FREDERIC BERNAL.

No. 14.

Acting Consul Hawthorn to the Marquis of Salisbury.—(Received August 10.)

My Lord, *Marseilles, August 8, 1892.*

IN compliance with the instructions contained in the Foreign Office Circular despatch of the 27th June, I have the honour to inform your Lordship that no exemptions from rating and taxation of manufactories and machinery used therein, or any free grants of land by Municipalities or States to such manufactories exist in this Consular district.

I have, &c.
(Signed) H. HAWTHORN.

No. 15.

Consul Pouncefote to the Marquis of Salisbury.—(Received July 16.)

My Lord, *Nantes, July 14, 1892.*

IN reference to the Foreign Office Circular despatch dated the 27th June, I have the honour to inform your Lordship that upon inquiries made by me at the Mairie and elsewhere, I have ascertained that no free grants of land are made to manufacturers, either by the State or the Municipalities.

No exemption of rating and taxation is granted to manufacturing and industrial establishments; but in certain cases where large numbers of workmen are employed, a remission of the "door and window tax" is obtainable, it being considered necessary for the men that they should have sufficient air and

light; such exemption is, however, only obtainable by an application to the State.

Machinery is free from taxation.

I have, &c.
(Signed) B. PAUNCEFOTE.

No. 16.

Consul Harris to the Earl of Rosebery.—(Received January 12.)

My Lord, *Nice, January 10, 1893.*
I HAVE only just been able to obtain the information I was instructed to inquire for by Sir V. Lister's Circular despatch of the 27th June, 1892; and I have the honour to inform your Lordship that no exemptions whatever exist within my Consular district from rating and taxation of manufactories, or machinery used in manufactories, nor any free grants of land to the same.

I have, &c.
(Signed) J. C. HARRIS.

No. 17.

Mr. Phipps to the Marquis of Salisbury.—(Received July 18.)

My Lord, *Paris, July 17, 1892.*
WITH reference to your Lordship's Circular despatch of the 1st instant, I have the honour to transmit herewith to your Lordship a despatch which has been addressed to me by Sir J. Crowe on the subject of the desired information respecting the exemption, in Paris and its neighbourhood, of manufactories from rating and taxation, free grants of land to such manufactories, &c.

I have, &c.
(Signed) E. C. H. PHIPPS.

Inclosure in No. 17.

Sir J. Crowe to Mr. Phipps.

Sir, *Paris, July 15, 1892.*
THE points to be ascertained, in accordance with instructions contained in Lord Salisbury's Circular despatch of the 27th June last, are whether any exemptions exist from rating and taxation of manufactories and machinery used in manufac-

tories in Paris or its neighbourhood; and whether any free grants of land are made by Municipalities or by the State to such manufactories.

In reply, I may at once observe that no free grants are ever made by Municipalities or by the State in the manner described by the Circular, and that there is no rating of manufactories or machinery in the sense in which that operation is carried out in England.

Broadly stated, the facts are that French departments and communes have comparatively little local taxation, and little of that applicable to manufactures and machinery. They get a share of the four direct State taxes in increments, called "centimes additionnels," levied under the provisions of the Law of Finance voted annually by Parliament.

The State taxes manufactories and machinery both for itself and for the departments and Municipalities. The latter take their share in proportion to their requirements as set forth in Estimates, furnished annually by the Councils-General or by Communal Commissions.

This much being premised, the question resolves itself into simple elements. And the answer generally to the Circular is that there are only two characteristic and important exemptions to which manufactories and machinery are entitled.

In the first place, manufactories are exempted from the door and window tax by Statute, on the sensible plea that light and air are of the essence of prosperity in manufactories.

But on the other hand, the law establishes a different treatment for manufactories and other classes of works and mills, and the distinction which is made between "manufactures" and "usines" gives rise, even now, to constant litigation.

The second exemption is that of machinery from the "impôt foncier," or tax on immovable property. But here, again, a distinction is made between such movable plant as looms, spinning-frames, and the like; and machinery, or parts of machinery which are in the nature of fixtures, as boilers and stationary engines; fixtures being liable to the "impôt foncier," whilst looms are not.

It follows from all this, firstly, that there is no assessment of manufactories to local rates in France; and, secondly, that no account is taken specially of fixed or movable machinery for the purpose of arriving at a ratable annual value for local taxation.

As regards establishments entitled to exemption from the door and window tax, a great number of decisions has been collected for the purpose of defining what is a manufactory and what is not.

The general rule appears to be that a manufactory is a large industrial establishment divided into workshops giving employment to numerous hands, whilst an "usine" is an industrial establishment in which natural or artificial motors are the chief or most important agent for production.

Of the latter class are windmills, water- and fulling mills, foundries, sugar-making and refining mills, chemical works, mechanical bleach works, engineering shops with a few hands, as distinct from large machine works, breweries, shops of wheelwrights, carpenters, joiners, boat-builders, and smiths.

These are all liable to the door and window tax, as are a weaver's establishment with but six or seven looms and an equal number of workmen, a stocking weaver's shop, a candle factory, or a mechanical paper mill, or a tannery with only twenty labourers.

But cotton and woollen and silk and large iron mills, and all establishments generally in which numerous hands are employed, are free from the door and window tax, though it is to be borne in mind that a strong agitation is going on for the total abolition of this source of revenue.

As regards the "contribution foncière," there is some conflict arising out of differences of opinion as to whether machinery is movable or fixed. But generally the tax is levied on two-thirds of the net rental, at ten years' valuation of the works, including all machinery except such as is not readily removable; and it is to be understood that the tax is chargeable absolutely on the net rental of the building which contains the machinery, and not *pro rata* on the machinery itself. As to the latter, in especial, it has been held that the flies and rolling machines of a paper-mill, or the turbines of a flour-mill, are fixtures liable to the "foncier" tax, whereas spinning or carding machines or looms, &c., are movable, and not liable to the tax.

Finally, I may allude to a special form of exemption which affect manufactories and machinery. The "contribution foncière" is not leviable on any establishment till the third year after its erection.

As to the effect of the exemptions, I can only say at present that every reduction that can be made in the taxation of immovable property and houses is considered to increase the industry and prosperity of the localities in which it is in force, but this is a general view chiefly indulged by the parties interested in changing the incidence of State taxes.

The tendency of late years has been to disburden landed and house property and impose increased charges on incomes.

But manufactories which are exempt from door and window tax, and, so far as movable machinery is concerned, exempt from the "contribution foncière," get their full share of taxation from other sources—from the tax on "patentes," which is based in part on the number of hands employed and in part on the number of spindles, bobbins, frames, looms, ovens, furnaces, and machines in use, and from the tax on profits, which was recently raised by a finance Resolution from 3 to 4 per cent. per annum.

I have, &c.

(Signed) J. A. CROWE.

No. 18.

Mr. Phipps to the Marquis of Salisbury.—(Received July 22.)

My Lord,

Paris, July 20, 1892.

WITH reference to my despatch of the 17th instant, I have the honour to transmit herewith to your Lordship a despatch which has been addressed to me by Sir J. Crowe on the subject of the repeal of the door and window tax.

I have, &c.

(Signed)

E. C. H. PHIPPS.

Inclosure in No. 18.

Sir J. Crowe to Mr. Phipps.

Sir,

Paris, July 20, 1892.

WITH reference to the subject-matter of my despatch of the 17th instant and the exemptions from taxation to which manufactures and machinery are entitled in France, I have the honour to inform you that a Law has just been promulgated abolishing the door and window tax, and substituting for it a tax of 2 fr. 40 c. (2s.) per cent. of the net revenue of house property (*propriété foncière bâtie*).

The new tax falls due on the 1st January, 1894.

The door and window tax is estimated to yield in 1893 43,334,823 fr. (1,733,392*l.*), the share of the Department of the Seine being 7,734,063 fr. (309,360*l.*).

I have, &c.

(Signed)

J. A. CROWE.

No. 19.

Consul O'Neill to the Marquis of Salisbury.—(Received August 8.)

My Lord,

Rouen, August 6, 1892.

IN reply to your Lordship's Office Circular despatch of the 27th June last, I have the honour to inclose a note with annex showing the system of taxation of manufactories and machinery in France, without an examination of which it has seemed to me impossible to reply to the inquiry made in the aforesaid Circular.

I have, &c.

(Signed)

H. E. O'NEILL.

Inclosure in No. 19.

Memorandum.

AT the first moment of consideration of the question of taxation of manufactories in France, one is tempted to reply that there are no special exemptions in favour of any one industry over another, and that France, being a highly-developed country, no special attractions such as gifts of land and freedom from taxation as are often offered by the countries of the New World are possible here.

More especially as in France the indirect form of support and attraction to capital, known as "protection to native industries," is more and more taking root and firmly establishing itself. If an industry requires protection, it is usually from foreign producers, and that is accorded it at the frontier by means of the Customs Tariff.

Again, the highly-centralized character of French administration takes from Municipalities and departmental authorities the power they often elsewhere possess to offer special inducements to any particular industry to localize itself in their district.

But, nevertheless, it would, I think, be a hasty assumption to conclude that, from the above reasons, there are no differences or inequalities whatever in the taxation of industries in France, and that no one industry possesses advantages over another in the matter of direct taxation. The French system of direct taxation of industrial establishments lends itself in a peculiar degree to a delicate differentiation, and where an industry is weak and suffering, and where it is powerful enough to make itself heard and felt, relief may be given by a slight readjustment without any disturbance of the whole system.

This becomes possible from the fact that French industries, trades, and professions are not weighed for the purpose of taxation in one common balance, as, for example, they are weighed in England, for the purpose of local rating, in the common balance of the rental value of the buildings in which those industries are carried out.

The English system has appeared to the French legislator too rude and simple. A general assessment upon the rental value of business premises or industrial establishments strikes, he has said, upon all too unequally. To take one example only: the manufacturer who sometimes requires vast buildings and costly machinery would be, under the English method, taxed quite out of proportion to and outrageously beyond the banker or stockbroker, who may be turning over millions in a few small rooms.

And so, instead of the one simple general balance of assessment upon rental value, there has been introduced into French legislation a complicated system of balances in which each group of industries and trades, and sometimes, indeed, single

industries and trades, are separately and distinctly, for taxing purposes, weighed.

It is necessary to look a little into the French system of direct taxation to see how such partial exemptions as I have referred to become possible and how easily they are effected.

Every person exercising an industry, trade, or profession in France is subject to three, at least, out of four "contributions directes," or direct taxes:—

1. The "impôt foncier."
2. "Contribution personnelle et mobilière."
3. "Contribution des portes et fenêtres."
4. "Impôts des patentes."

I say three out of these four, for only he who owns land or houses will be subject to the first, or land tax.

Every one exercising an industry of any character whatsoever, and occupying for that purpose a house or flat, or who rents or owns a factory, mill, or business premises, is subject to the remaining three of these direct taxes.

Of the "contribution personnelle et mobilière" and of that of the "portes et fenêtres," it is unnecessary to say anything here. There can be no exemptions from either in any degree whatever, favouring one industry or trade over another. They are both what are called "impôts de répartition," that is to say, the lump-sum to be collected from each department is fixed annually by the Minister of Finance, and this sum is gradually divided down to the arrondissement, then to the commune, and then to the individual taxpayer. Every one will, therefore, bear a like share with his neighbour in the same commune, the "contribution mobilière" being assessed upon a fixed proportion of the rent of all houses in the department, and that of the "portes et fenêtres" being fixed upon a basis that varies with the population of the commune. To this fixed, unalterable basis are added the "centimes additionnels," which formed the flexible element of the tax, adjustable yearly to the demand made upon the commune by the departmental authorities.

From the "impôt foncier" there are some important exemptions, but these are common to all. All buildings, whatever their character, are exempt from taxation until the third year after completion. For instance, a factory or house, the building of which was completed in this month of July 1892, will not be taxable until 1895. Land reclaimed from river or sea and drained marshes are exempted from taxation for twenty-five years, and land that has lain idle for fifteen years and is planted with vines and fruit-trees is not taxable for twenty years, and if it is put under cultivation for annual crops it is exempt for ten years.

It is only when we come to the fourth, and, to all engaged in industrial pursuits, the most important of the direct taxes, the "impôt des patentes," that we see the separate assessment for the purpose of taxation, that leads to the delicate differentiation of which I have spoken.

To understand this, it is necessary to look into the Schedules into which all industries are divided for the application of that tax.

Every person exercising an industry, trade, or profession in France is placed in one of four categories, or Schedules (A), (B), (C), and (D). If he is a trader, wholesale or retail, he will fall into Schedule (A); if a member of what is called "le haut commerce," that is, a banker, broker, and the like, he will be classed in Schedule (B); if a manufacturer, he will be placed in Schedule (C); and if he belongs to one of the liberal professions, he will be included in Schedule (D).

The above are, however, but, broadly speaking, the general principles of the classification followed and they show only one side of the influences that determine the classification. Beyond the kindred nature of the pursuits, the presumed profits are taken largely into consideration, as will be seen.

Of these four Schedules, (A) is numerically the most important. It embraces nearly 1,600 industries and trades and 1,339,000 persons subject to the "contribution des patentes" out of a total of 1,581,000 fall within it.

In Schedule (B) there are but twenty-five industries, but these are all presumed to be those in which large profits are realized.

Schedule (C) embraces 277 industries, the great majority of which are manufactures of every character.

Schedule (D) contains the liberal professions; but the most important function of this Schedule is the classification of all the preceding classes for the application of that part of the "contribution des patentes" called the proportionate tax, to be explained hereafter.

For the "contribution des patentes" is divided into three parts. There is the "fixed tax," which is simply a licence; there is the tax on equipment of factory or office, *i.e.*, on machinery or on number of employés and workmen, and there is the "proportionate tax," which is a tax upon the rental value of house and factory or business premises. Each of these varies greatly in amount, and each is based upon different data.

For instance, the 1,600 industries and trades that make up Table (A) are, for the imposition of the fixed tax, divided into eight different classes, and each class is taxed in the same commune a sum differing only with the class to which the taxpayer belongs, but again the tax to which each class is subject differs with the population of the commune in which the taxpayer resides.

Two elements therefore, it is seen, enter into the determination of the fixed tax only of Table (A), *viz.*, the class to which the individual taxpayer belongs, and the population of the commune in which he resides.

To illustrate by an example. A watchmaker or jeweller not being a manufacturer, will, in all communes, be in the 3rd class; but in the town of Rouen, with a population of over

100,000, he will have to pay a fixed annual tax of 100 fr., which, in a smaller town of, say, 40,000 inhabitants, will be reduced to 40 fr. In addition to this he will pay the proportionate tax upon the rental value of his house and shop.

Looking now into Table (B) we shall see that a third element enters in for the determination of the fixed tax for persons classed within it. This is the number of employés above five. To give again an example from the town of Rouen. A banker here will be called upon to pay 1,000 fr. for his licence, and 40 fr. for every employé in his service over five, whilst in the neighbouring town of Elbeuf, a town of 30,000 inhabitants, he would only pay a licence tax of 400 fr., and 20 fr. for each employé over five.

To take another example. An undertaker in the town of Rouen will pay a fixed tax of 335 fr., this tax being, in his case, assessed solely on population and at the rate of 3 fr. per thousand inhabitants.

Therefore, in the above Schedules (A) and (B) we have instances of groups of industries being weighed, in the procedure of assessment, in separate balances, and, as in the last example given, a single industry being assessed on data all its own.

I now arrive at Schedule (C), with which this inquiry chiefly has to deal, as most of the manufacturing class fall within it. It embraces 277 manufactures and other industries.

For the assessment of the "contribution des patentes," for manufacturers and others in Schedule (C), the determining data differ in some important respects from the two first Schedules. The element of population is not considered here. It is argued that a manufacturer has not the same inducement to establish his mill or factory within a town, and that the larger will naturally strive to be outside its limits to escape the "octroi" and other duties always heaviest in towns.

The most important of the factors considered for the determination of this tax on manufacturers is the equipment of their factories with some, and the number of workmen employed with others, and again in certain cases both these elements are taken into consideration.

For example, the cotton spinner, the chief industrial of Rouen, will pay 2 centimes per spindle, or 2 fr. per 100 spindles, and nothing per workman. A wool spinner will pay 4 fr. per 100 spindles, and flax, hemp, and jute spinners are assessed upon the same basis, but at the rate of 8 fr. per 100 spindles.

But a cotton or embroidery thread manufacturer will pay 2 centimes per spindle; a manufacturer of worsted, 4 centimes a spindle; a sewing silk manufacturer, 6 centimes per spindle; but all these are called upon to pay, in addition, 4fr. a-head for the workmen they employ.

Again, as illustrative of assessment on equipment only of manufactory, take the case of distilleries and beetroot refineries, the first of which pay 5 fr. per hectolitre of the gross capacity of all stills, and 1 fr. per hectolitre of the capacity of all pans,

and the second, 3 fr. per hectolitre of the capacity of their sugar boilers.

The case of a sugar refiner, however, gives us an example of an assessment by number of workmen only, for he is called upon to pay 10 fr. per workman, and the capacity of the sugar boilers is entirely disregarded in his assessment for this tax.

These few examples suffice to show what different elements enter into the assessment of the different parts of which the "impôt des patentes" is made up, and how easily they may be varied for any one or more industries without any disturbance of the whole system.

So far, I have said nothing of the "proportionate tax," which is, for manufacturers requiring large and costly buildings with expensive machinery, perhaps the heaviest part of the "impôt des patentes."

The proportionate tax is assessed upon the same basis as are the English local rates, viz., upon the rental value of the factory, mill or office, and on that of the private residence of the taxpayer. It does not, however, vary in amount with the district as in England, but it varies with the Schedule and class to which the taxpayer belongs. (It should be noted in passing that every taxpayer in France is also taxed on a certain proportion of the rent of his house in the "contribution mobilière," but that is in addition to the tax on rental value of house under the proportionate tax in the "impôt des patentes.")

This proportionate tax may be $\frac{1}{10}$, $\frac{1}{15}$, $\frac{1}{20}$, or $\frac{1}{30}$ of rental value of residence, and it may be $\frac{1}{40}$, $\frac{1}{50}$, or $\frac{1}{60}$ of that of industrial establishment and the factor for determining these proportions is more general, one may say more arbitrary than those for the determination of the other portions of the "impôt des patentes," being solely the *schedule and class of the taxpayer*.

The object and manner of application of the proportionate tax are so clearly and well laid down by M. Bergeret in a note that I feel I cannot do better than reproduce it:—

"Le droit proportionnel a pour objet de réparer ce qu'il peut y avoir d'incomplet ou d'excessif dans l'application du droit fixe; *il est, pour ainsi dire, le régulateur de la patente.*

"Le taux du 10^e est appliqué aux industries considérées comme très lucratives et susceptibles de s'exercer dans un local restreint.

"Les professions libérales et les offices ministériels payent le 15^e; l'élévation de ce taux compense l'absence de droit fixe.

"Le taux du 20^e est le taux normal; c'est le droit commun pour toutes les industries, sauf exceptions.

"*C'est dans une pensée de dégrèvement* que le taux est abaissé au 30^e pour les 4^e, 5^e, et 6^e classes du Tableau (A).

"Le taux du 40^e est appliqué aux locaux des industries qui ont besoin de vastes emplacements, l'usage de ces locaux n'impliquant pas de grands bénéfices.

"Pour certains établissements industriels, le taux descend jusqu'au 50°. Il est le même pour les patentables des 7° et 8° classes dans les communes de plus de 20,000 âmes, ce qui touche à l'immunité.

"Enfin le taux n'est que du 60° pour le 4° partie du Tableau (C), qui comprend principalement les filatures et les fabriques à métiers.

"Mais il convient de remarquer que, sauf pour les patentables des 7° et 8° classes, les taux du 40°, du 50° et du 60° ne sont jamais appliqués seuls; ils sont ainsi fixés en ce qui concerne les établissements industriels ou locaux servant à l'exercice des professions et se combinent avec le taux du 20° applicable à la maison d'habitation.

"L'exemption totale du droit proportionnel est accordée à quelques catégories de patentables, non par des considérations de droit, mais *par une disposition purement gracieuse de la loi.*" ("Bibliothèque Parlementaire.")

Schedule (C) is divided into five classes for the purpose of assessing this proportionate tax. Thus a cotton spinner and weaver who belong to class 4 of Schedule (C) will pay a proportionate tax equal to $\frac{1}{10}$ of the rental value of their residences, and $\frac{1}{10}$ of that of their mills. An ironmaster, a manufacturer of steel, or a cutlery manufacturer, who fall within class 3 of the same Schedule will pay the same percentage of rental value of house, but $\frac{1}{10}$ of that of their manufactories. A distiller, or gold and silver refiner, or a soap-maker who will be found in class 2, pay again $\frac{1}{10}$ of rent of dwelling house, but $\frac{1}{10}$ of that of manufactory.

In the assessment of the rental value of manufactories, all machinery is taken into consideration, and not only that which gives the motive power. And not only all machinery that is fixed, but that also which is movable:

"Le droit proportionnel pour les usines et les établissements industriels est calculé sur la valeur locative de ces établissements pris dans leur ensemble et munis de tous leurs moyens matériels de production." (Article 12 of the Law upon the "impôt des patentes" of the 18th July, 1880.)*

* As there seems to be some doubt upon this point in certain quarters in England, the following note upon the above article by a responsible authority, M. Gaston Bergeret, Secrétaire Rédacteur de la Chambre des Députés, will be read with interest:—

"On calcule la valeur locative des établissements, pris dans leurs ensemble et munis de tous leurs moyens matériels de production.

"Il pouvait sembler que, dans l'appréciation de cette valeur locative, il n'y eût pas lieu de faire entrer l'outillage; car, en quittant l'établissement, l'industriel peut importer ses machines; il n'a loué que les bâtiments. Mais on serait arrivé ainsi à n'imposer que des valeurs minimes; réduite aux quatre murs et au toit, une usine ne vaut presque rien dans beaucoup de cas et peut cependant réaliser de grands bénéfices; dans d'autres cas au contraire les bâtiments ont une grande valeur pour l'exploitation. Il se serait donc produit des inégalités choquantes.

"Si l'on avait voulu s'en tenir à la définition du Code Civil pour distinguer les machines qui ont le caractère de meubles et celles qui ont le caractère d'immeubles par destination, on serait arrivé à des inégalités semblables; une machine scellée au mur aurait dû être comptée dans la valeur locative, tandis qu'une machine simplement

Now are there any openly-avowed exemptions from this tax beyond those slight differences that give here a little relief and there a slight extra burden which result, in fact, from the very intricacies of the tax?

I only know of one that is avowed, and that is the case of ship-owners who at the time of the passing of the last Law were openly relieved in order to allow them better to face foreign competition. Previous to 1880, all vessels engaged in the European and coasting trade paid 25 centimes per net ton. They now pay but 5 centimes per ton if sailing-vessels, and 20 centimes if steamers; and before the last Law all vessels engaged on voyages outside Europe paid 48 centimes per ton whether steamer or sailing-vessels, but now the first pay only 40 centimes and the second, 10 centimes per ton.*

The "impôt des patentes" is, however, the battle-field of conflicting industries. Does one trade or manufacture feel overburdened, it is to a reorganization of the "impôts des patentes" that it turns for relief. It is the fiscal weapon, by aid of which the small trader and the individual manufacturer hope to counter-balance and overcome the, to them, crushing competition of the great co-operative distributing Societies, and manufacturing and agricultural syndicates that are the great and growing power of modern commerce.

"Nous voulons qu'on proportionne les charges fiscales des accapareurs à leurs moyens d'enrichissement, à leur puissance d'écrasement," are the words of an Association of retail traders, and they may be taken as correctly expressing the feeling of small individual traders and manufacturers in France. It is with reference to a readjustment of the "impôt des patentes" that these words were written, and organized efforts are being made to stir public opinion in such a manner that, in a Bill to be brought forward in the approaching Session for the readjustment of this tax, some satisfaction of these grievances may be obtained.

The only changes that have been made since the last Law of the 15th July, 1880, which repealed or consolidated all previous acts upon the "impôt des patentes" have been in the direction of relieving the small trader and manufacturer, at the expense of the greater.

Finally, it may be asked, what is the object, the "raison d'être" of so complex a system of assessment of this law? The simple answer is that the "impôt des patentes" is really an

posée sur le sol aurait échappé à la taxation et rien ne justifie cette différence quand il s'agit d'évaluer les bénéfices probables.

"La disposition de l'Article 12 semble s'écarter donc de la vérité quand elle fait entrer dans la valeur locative des éléments étrangers au local loué, mais elle tend au contraire d'atteindre la réalité des faits, puisque le droit proportionnel a pour objet l'importance des bénéfices."

* "Une diminution notable des droits de patente est consentie au profit des armateurs dans l'intention d'accorder à la marine marchande une faveur que réclame sa situation précaire. L'abaissement des droits a, dans ce cas spécial, le caractère d'une subvention indirecte." "L'Impôt des Patentes," par M. G. Bergeret.

income tax on all industries, or rather, an endeavour to tax the profits of all industries, and these various means of assessment are only so many ingenious efforts to arrive at a trader's and manufacturer's profits. "L'impôt des patentes est un impôt sur le revenu : il ne porte pas sur tous les revenus, mais sur une catégorie spéciale de revenus : les bénéfices industriels et commerciaux." M. Eugène Pierre, Secrétaire-Rédacteur de la Chambre des Députés.

I attach to this note a general abstract of the Schedules (A), (B), (C), and (D), which, with the above explanations, will, I hope, make the intricacies of the "contribution des patentes" sufficiently clear.

(Signed)

HENRY E. O'NEILL.

Rouen, July 31, 1892.

ANNEXES.

SCHEDULE (A).

Classes.	In Paris.	Communes graded for "Fixed" or Licence Tax, according to Population.								Remarks.
		Over 100,000.	50,000 to 100,000.	30,000 to 50,000.	20,000 to 30,000.	10,000 to 20,000.	5,000 to 10,000.	2,000 to 5,000.	Below 2,000.	
One ..	Franks. 400	Franks. 240	Franks. 180	Franks. 120	Franks. 80	Franks. 50	Franks. 45	Franks. 35		In communes of under 20,000 inhabitants classes marked thus * are wholly exempt from the proportionate tax. Costermongers, pedlars, and those selling in street-stalls are also exempt from proportionate tax.
Two ..	200	120	90	60	45	40	30	25		
Three ..	150	80	60	40	30	25	22	18		
Four ..	100	60	45	30	25	20	15	12		
Five ..	75	40	30	20	15	12	9	7		
Six ..	50	32	24	16	10*	8	6	4		
Seven ..	40	16	12	8	8*	5*	4*	3*		
Eight..	20	10	8	6	5*	4*	3*	2*		
	12									

Table (A) comprises about 1,600 trades and other industries. At the date of promulgation of the last Law upon the "impôt des patentes" (1850) the exact number was 1,595, and of these—

The First Class contained

113 industries.

" Second "	"	"	"	"	"	"	"	"	"	"
" Third "	"	"	"	"	"	"	"	"	"	"
" Fourth "	"	"	"	"	"	"	"	"	"	"
" Fifth "	"	"	"	"	"	"	"	"	"	"
" Sixth "	"	"	"	"	"	"	"	"	"	"
" Seventh "	"	"	"	"	"	"	"	"	"	"
" Eighth "	"	"	"	"	"	"	"	"	"	"

Total

1,595

The principle of the above classification is the relative importance of the industry. Thus we find most wholesale traders in the first three classes, but as some retail trades are more lucrative than some wholesale, they are placed in the first three classes, and the lesser wholesale trades are classed with the smaller trades.

SCHEDULE (B).

Description of Industry.	Licences.	Tax for each Employé over five.
		Francs.
Stockbrokers—		
In Paris	2,000	50
" other towns with Stock Exchange	500	25
" towns with over 100,000 inhabitants	250	12
" " from 50,000 to 100,000 inhabitants	200	10
" " " 30,000 " 50,000 "	150	8
" " " 15,000 " 30,000 "	100	5
" in all other communes	75	5
Maritime insurance—		
In Paris	300	15
" towns over 100,000 inhabitants	250	15
" " from 50,000 to 100,000 inhabitants	200	10
" " " 30,000 " 50,000 "	150	8
Bankers—		
In Paris	2,000	50
" towns over 100,000 inhabitants	1,000	40
" " from 50,000 to 100,000 inhabitants	500	25
" " " 30,000 " 50,000 "	400	20
The above duty is increased by one-half if the banker issues foreign Government stock, or the stock of foreign Municipalities or Companies, or charges himself with paying the interest on them.		
Loan offices advancing on securities—		
In Paris	500	25
" towns over 100,000 inhabitants	400	20
" " from 50,000 to 100,000 inhabitants	300	15
" " " 30,000 " 50,000 "	200	10
" " " 15,000 " 30,000 "	150	8
" " under 15,000 inhabitants	100	5
Forwarding merchants, by land or sea—		
In Paris	300	15
" towns over 100,000 inhabitants	250	12
" " from 50,000 to 100,000 inhabitants	200	10
" " " 30,000 " 50,000 "	150	8
" " " 15,000 " 30,000 "	100	5
" " under 15,000 inhabitants	30	5
Commission Agents in merchandize not specially named in the other Schedules—		
In Paris	400	20
" towns over 50,000 inhabitants	300	15
" " from 30,000 to 50,000 inhabitants	200	10
" " under 30,000 inhabitants	75	5
Insurance brokers and ship brokers—		
In Paris	300	15
" towns over 100,000 inhabitants	250	12
" " from 50,000 to 100,000 inhabitants	200	10
" " " 30,000 " 50,000 "	150	8
" " under 30,000 inhabitants	50	5
Dealers in fine diamonds—		
In Paris	500	25
" towns over 100,000 inhabitants	400	20
" " from 50,000 to 100,000 inhabitants	300	15
" " " 30,000 " 50,000 "	200	10
" " under 30,000 inhabitants	100	5

Description of Industry.	Licences.	Tax for each Employé over five.
		Francs.
Ready-made clothing stores, if with more than ten employés—		
In all towns over 100,000 inhabitants, including Paris ..	100	25
" from 50,000 to 100,000 inhabitants ..	80	20
" below 50,000 inhabitants ..	30	15
Wholesale merchants dealing in different classes of goods—		
In Paris ..	500	25
" towns over 100,000 inhabitants ..	400	20
" from 50,000 to 100,000 inhabitants ..	300	15
" " 30,000 " 50,000 ..	200	10
" " 15,000 " 30,000 ..	150	8
" " below 15,000 inhabitants ..	100	5
Foreign steam-ship agencies—		
In Paris ..	300	15
" towns over 100,000 inhabitants ..	250	12
" from 50,000 to 100,000 inhabitants ..	200	10
" " 30,000 " 50,000 ..	150	8
" " below 30,000 inhabitants ..	50	5
Undertakers or contractors for water supply—		
Per 1,000 inhabitants of the total population of the town..	3	..
Brokers in merchandize not specially named in the other Schedules—		
In Paris ..	200	10
" towns over 50,000 inhabitants ..	150	8
" from 30,000 to 50,000 inhabitants ..	100	5
" " 15,000 " 30,000 ..	75	5
" " under 15,000 inhabitants ..	50	5

ABSTRACT OF SCHEDULE (C).

PART I.

(Embraces twenty-one industries.)

Ship-owners—	Fr. c.
For every net ton sailing-vessel "long cours" ..	0 10
Steam-vessel ..	0 40
Sailing-vessel coasting ..	0 5
Steamer coasting ..	0 20
Insurance Company, not mutual, for each department in which they carry out operations ..	100 00
Bank of France, including branch offices ..	50,000 00
Boats for river and canal navigation purposes, per gross ton ..	0 3
River and lake steam-boats, per gross ton ..	0 13
Towing-boats, per boat ..	50 00
Draining and clearing Companies, per hectare ..	50 50
Stockbroking, credit discounting Companies, per 1,000 fr. of nominal capital, whether paid up or not ..	0 30
Tontine Societies ..	350 00

All industries in Part I of Schedule (G) pay a proportionate tax of $\frac{1}{20}$ the rental value of their business premises.

PART II.

(Embraces sixty industries.)

Gold and silver refiner, 5 fr. for licence, 10 fr. for each workman, and 100 fr. per smelting apparatus.
 Chocolate manufacturer, 5 fr. for licence, 4 fr. per workman, and 6 fr. per mould.
 Coke manufacturer, 15 centimes per 100 kilog. of coals used.
 Liquor distilleries, 5 fr. per hectolitre of gross capacity of all stills, and 1 fr. per hectolitre gross capacity of all pans.
 Cheese manufacturer, 5 fr. licence, 5 fr. per workman, and 25 fr. per machine.
 Glucose manufacturer, 5 fr. licence, and 4 fr. per workman.
 Malt manufacturer, 5 fr. licence, and 4 fr. per workman.
 Salt (refined) manufacturer, 5 fr. licence, and 5 fr. per workman.
 Soap manufacturer, 70 centimes per hectolitre capacity of boilers.
 Vinegar manufacturer, 12 centimes per hectolitre capacity of fermenting vessels.

For Part II the proportionate tax is $\frac{1}{20}$ rental value of residence and $\frac{1}{10}$ that of industrial establishment.

PART III.

(Embraces 137 industries.)

Steel manufacturers, natural and forged, 40 fr. per smelting oven, refining oven, and puddling oven; cast steel additional; 5 fr. licence and 4 fr. per workman; cast steel, Bessemer process, 3 fr. for every converter of 100 kilog.
 Manufacturer of all weapons of war, 5 fr. licence and 2 fr. per workman.
 Brewers, 1 fr. per hectolitre of gross capacity of boilers; reduced by one-half if brewing not more than four times a-year.
 Manufacturer of rubber goods, 5 fr. licence and 5 fr. per workman.
 Typefounders, 5 fr. licence and 4 fr. per workman.
 Bootmaker, if machine made, 5 fr. licence, 3 fr. per workman, and 12 fr. per machine.
 Railroads, if double line, 10 fr. per kilometre; if single line, 5 fr. per kilometre.
 Cutlery manufacturer, 5 fr. licence and 4 fr. per workman.
 Crystal manufacturer, 5 fr. licence and 3 fr. per workman.
 Pin maker, 6 fr. per machine complete, and 3 fr. per simple.
 Army clothing and equipment, 5 fr. licence and 3 fr. 60 c. per workman.
 Tin plates, 5 fr. licence and 5 fr. per workman.
 Bronze manufacturer, large articles, 5 fr. licence and 7 fr. per workman.
 Bronze manufacturer, small articles, 4 fr. per workman.
 Iron masters, 40 fr. per refining fire and per puddling oven; 80 fr. per retreating oven.
 Glove maker, 5 fr. licence, 2½ fr. per workman, and 8 fr. per stitching-machine.
 Gas for lighting purposes, 20 centimes per cubic metre capacity of gas-holder.
 Smelting furnaces, 3 fr. per cubic metre capacity of furnaces, and 4 fr. per workman.
 Oil works, if by chemical process, 12 centimes per hectolitre of gross capacity of receiving vessels, and 50 centimes per hectolitre capacity of distillery boilers.

Woolwashers, also of all goods, 5 fr. licence, and 5 fr. per workman.
 Hardware manufacturer, 5 fr. licence, and $3\frac{1}{2}$ fr. per workman.
 Sugar refinery, 5 fr. licence, and 10 fr. per workman.
 Sawing-mill, 4 fr. per saw, and $1\frac{1}{2}$ fr. per grooving or similar machine.
 Beet-root refinery, 3 fr. per hectolitre net boiler capacity.
 Tanner, 5 fr. licence, and 40 centimes per cubic metre capacity of pits and vats.
 Any manufacturer who is classed in the preceding Schedules, and whose fixed tax is assessed according to population of commune, if he employs more than ten workmen, is taxed 18 fr. for the first ten and 3 fr. for each man over that number.
 All classed in Part III pay a proportionate tax of $\frac{1}{20}$ of rental value of residence, and $\frac{1}{10}$ of that of industrial establishment.

PART IV.

(Embraces 27 industries.)

Boiler makers, 5 fr. licence, and 5 fr. per workman.
 Mechanical carders, 6 fr. per carding machine.
 Felt manufacturer, 1 fr. 20 c. per pair cylinders.
 Sewing-thread manufacturer, cotton 2 centimes per spindle; worsted, 4 centimes per spindle; silk waste, 6 centimes per spindle; hemp, linen, or jute, 8 centimes per spindle, and all above 4 fr. per workman in addition.
 Spinning mills, carded wool or combed, 4 centimes per spindle; hemp, flax, or jute, 8 centimes per spindle; cotton, 2 centimes per spindle.
 Printing works, 4 fr. per table, or if by cylinders, each cylinder 100 fr.
 Manufacturer of mechanical looms for spinning or weaving, 5 fr. licence and 5 fr. per workman.
 Ship-builders, 5 fr. licence and 5 fr. per workman.
 Proportionate tax, $\frac{1}{20}$ of rental value of residence and $\frac{1}{10}$ of that of industrial establishment.

PART V.

(Embraces 35 industries.)

Dredging contractors, 5 fr. licence and 4 fr. per workman.
 Draining contractors, 5 fr. licence and $2\frac{1}{2}$ fr. per workman.
 Exploiters of quarries, 5 fr. licence and $1\frac{1}{2}$ fr. per workman.
 Contractors of all public works, 5 fr. licence and 25 centimes of every 100 fr., or $\frac{1}{4}$ per cent. of annual receipts.
 Theatres (director of), if a daily performance, $\frac{8}{10}$ of receipts of each representation; if the performances be not daily, and if the company is stationary, $\frac{3}{10}$ of receipts; if the company be travelling, that is, if it does not reside more than four months in one place, 50 fr.
 Public balls, concerts, &c., 50 centimes, or $\frac{1}{2}$ per cent. of all receipts.
 Proportionate tax, $\frac{1}{20}$ of rental value of residence only.

SCHEDULE (D).

(Embraces about 25 professions.)

The proportionate tax is fixed at the following rate for the under-mentioned industries:—

- One-tenth of rental value of all premises occupied by persons classed in Schedule (B), and for certain public Companies and Societies specially named.
- One fifteenth of all premises occupied by architects, lawyers, notaries, surgeons, physicians, dentists, civil engineers, auctioneers, and veterinary surgeons.
- One-twentieth of all premises occupied by persons falling within:
 - The first, second, and third class of Schedule (A).
 - The 1st Part of Schedule (C).
 For those classed in II, III, IV, and V Parts of Schedule (C) the proportionate tax of $\frac{1}{20}$ is only applied to their actual residences.
- One-thirtieth of all premises occupied by those classed in fourth, fifth, and sixth classes of Schedule (A).
- One-fortieth of rental value of industrial establishments of those classed in Part II of Schedule (C).
- One-fiftieth of rental value of all premises occupied by those within seventh and eighth classes of Table (A), but only if in communes of over 20,000 inhabitants.
- One-sixtieth rental value of all industrial establishments of those classed in Part IV of Schedule (C).

GERMANY.

No. 20.

Consul-General Bleichröder to the Earl of Rosebery.—(Received October 27.)

My Lord,

Berlin, October 24, 1892.

WITH reference to the Circular despatch of the 27th June, 1892, relating to the taxation of manufactories within my Consular district, I have the honour to inform your Lordship that I have this day received, through Her Majesty's Embassy here, a *note verbale* from the Imperial German Foreign Office, according to which there do not exist any exemptions in the Kingdom of Prussia from rating and taxation of manufactories and machinery used in manufactories, nor are any free grants of land made to such manufactories by the State or the Municipalities in Prussia.

I have, &c.

(Signed)

G. DE BLEICHRÖDER.

No. 21.

Consul Hunt to the Marquis of Salisbury.—(Received August 9.)

My Lord, *Dantzic, August 6, 1892.*
 WITH reference to Sir T. V. Lister's Circular despatch of the 27th June last, I have the honour to acquaint your Lordship that I have made inquiry in several directions, but I am unable to find that there are any exemptions, within my Consular district, from rating and taxation of manufactories and machinery used in manufactories, nor are free grants of land made to such manufactories.

I have &c.
 (Signed) H. T. C. HUNT.

No. 22.

Consul Mulvany to the Marquis of Salisbury.—(Received August 16.)

My Lord, *Düsseldorf, July 14, 1892.*
 IN reply to the Circular despatch of the 27th June, I have the honour to state, in accordance with information received, that there are no exemptions from rating and taxation of manufactories.

On machinery itself I am not aware of any special taxation.

Under the new Income Tax Law, which came into force on the 1st April, 1892, all going concerns are subjected to a State income tax on a rising scale in proportion to the amount of gross profit at the rates of from 1 to 4 per cent., irrespective whether such income be applied to dividends or not. This taxation is levied in addition to community, trade, and provincial rates.

In some few exceptional cases, free grants of land have been made by Municipalities to Companies and private persons for industrial purposes, with the object of promoting such undertakings as appeared to require especial encouragement; but it may with safety be said that the results are not of such a nature as to have any material effect on the object in view.

Many years ago, in Düsseldorf, free grants of land were occasionally given by the Corporation to private parties, to build dwelling-houses, and to the Cologne and Minden Railway Company to build a railway station, in consequence of which the through-going traffic was subsequently injuriously affected. Since the purchase of the railway by the State, this station has

been pulled down, and the lands are now offered for sale by the railway fiscus.

Free grants are now no longer given.

I have, &c.

(Signed) T. B. MULVANY.

No. 23.

Consul-General Oppenheimer to the Marquis of Salisbury.—
(Received August 13.)

My Lord,

Frankfort-on-Main, August 11, 1892.

REFERRING to the Circular despatch of the 27th June, directing me to send home a Return showing any exemption within my Consular district, from rating and taxation of manufactories and machinery used in manufactories, and of any free grants of land by Municipalities or States to such manufactories, and showing the effects of such exemptions and grants on the industry and prosperity of the localities where they are in force, I have the honour to inform your Lordship that I am unable to send such Return, as there exists no such exemptions from rating and taxation of manufactories and machinery used in manufactories, nor any free grants of land by Municipalities or States to such manufactories in my district.

The great development of manufacture and industry here in Germany does not seem to require such artificial assistance.

I have, &c.

(Signed) CHARLES OPPENHEIMER.

No. 24.

Consul-General Dundas to the Earl of Rosebery.—(Received April 6.)

My Lord,

Hamburg, April 1, 1893.

WITH reference to the Marquis of Salisbury's Circular despatch of the 27th June, 1892, calling for a Return showing exemptions, if any, from rating and taxation of manufactories and machinery used in manufactories, I have the honour to report to your Lordship that no rating or taxation of manufactories, or of the machinery used in the manufactories would appear to exist in this Consular district.

The only privilege which manufactories enjoy is that they may import foreign raw material free of customs duties, subject, however, to special Regulations and special control, provided

that it be shown that such raw material is exported again in a manufactured state.

Manufactories situated within the Hamburg free harbour limit do not pay any duty on the raw material imported by such manufactories from a foreign country. On the other hand, the articles produced by them have to pay duty when entering the German customs limits exactly the same as foreign goods.

The privilege thus granted to industries are with a view to encourage manufacture, and to improve the quality of the production.

I have the honour to express to your Lordship my sincere regret that this Report has been overlooked.

The information now furnished was received by me during the cholera period, and my own state of health during that time and the attendant state of affairs, coupled with my subsequent absence on leave, must have caused this oversight.

I have, &c.

(Signed) CHAS. DUNDAS.

No. 25.

Consul Powell to the Marquis of Salisbury.—(Received July 27.)

My Lord,

Stettin, July 25, 1892.

I HAVE to acknowledge the receipt of a Circular despatch of the 27th ultimo requesting a Return showing any exemptions within this Consular district from rating and taxation of manufactories and machinery used in manufactories, and of any free grants of land by Municipalities or States to such manufactories, and showing the effects of such exemptions and grants on the industry and prosperity of the localities where they are in force.

In reply, I have now the honour to report that—

1. Iron used for ship-building purposes, and all material for building or repairing sea-going vessels, together with any utensils or machinery to be used in such vessels, are admitted free of duty.

2. All foreign-built vessels bought by German subjects, or by foreigners domiciled in Germany, for trading or pleasure, sailing to or from German ports or foreign ports under the German flag, together with all material of which they are constructed, with such utensils and machinery as properly belong to such vessels, shall not be liable to pay any customs duty.

This exemption of duties is made with a view to placing the

German ship-building trade on the same footing, so far as duties are concerned, with the English ship-building trade.

I have, &c.

(Signed) WILFRED POWELL.

ITALY.

No. 26.

Consul Franz to the Marquis of Salisbury.—(Received July 25.)

My Lord,

Rome, July 21, 1892.

IN compliance with your Lordship's instructions given by Circular despatch of the 27th June, 1892, I have the honour to inclose to your Lordship a paper containing the information which I have been able to obtain as to the rating and taxation of manufactories and machinery used in manufactories in my district.

I have, &c.

(Signed) ALEX. ROESLER FRANZ.

Inclosure in No. 26.

Report on the Rating and Taxation of Manufactories in Rome.

Rating.—No rating of manufactories and of machinery used in manufactories exists in Italy.

Taxation.—Manufactories are subject to the tax on buildings ("Tassa fabricati"), but buildings used for industrial purposes, and provided with fixed machinery, which come under the category of property called "Opificii," are taxed on two-thirds of their rental, whilst ordinary buildings pay tax on three-fourths.

The rental is either the actual amount of rent paid by the lessees, or it is estimated by approximation when the premises are owned by the manufacturers.

In assessing the rental of industrial buildings called

"Opificii," the generators of motive power, the machinery and plants which are required to transmit the motive power itself, so far as these are fixtures, are considered as attached or forming part of the building.

The appliances of transmission and the machinery employed to do the work, are excluded from the above provision.

It should be noted that manufactories become subject to the said tax only three years after they have been started, whereas ordinary buildings begin to pay taxes two years after they are certificated as inhabitable.

In assessing the tax, the nature of the article produced is not taken into account.

The amount of the tax is $16\frac{1}{4}$ per cent. to Treasury, plus the local rates, which differ from one place to another and from year to year. In Rome they are this year $3\frac{1}{4}$ per cent. to provincial administration, and $8\frac{1}{4}$ per cent. to communal administration, in all, $27\frac{3}{4}$ per cent. on two-thirds of rental.

The assessment is not affected by the financial results of the undertaking, and is not subject to revision, *pro* or *con.*, except at such times as the general revision of the tax on buildings takes place, which is done at periods of not less than five years, but often much longer.

However, a diminution of the tax may be demanded at any time provided it can be proved that the rental has gone down permanently at least by one-third, or *vice versa* the tax agent may claim an increase of the tax if the rental is augmented by one-third.

If the manufactory stops work, the tax is struck from the rolls or refunded, as the case may be, provided notice of the fact shall have been given within thirty days of the stopping, and the stopping continued permanently for a period of not less than one year.

Manufactories are subject also to income tax on the net profits of the undertaking under Category (B) of the Schedule, which only allows of an abatement of two-eighths on the assessed profits of the year.

Income tax is chargeable from the beginning of the undertaking, and it amounts to thirteen five-tenths to Treasury, plus local rates, as in the case of tax on buildings, but in smaller proportions. In Rome this year there is to be added one-tenth to communal and provincial rates and four-tenths to Chamber of Commerce; in all, 14 per cent. on six-eighths of net income.

In case of public Companies, income tax is charged on the net profits of the preceding year as resulting from the balance-sheets. In other cases the assessment holds good for two years, and a fresh revision can only be demanded from two to two years, whatever be the actual profits of the undertaking every single year.

No Exemption.—It follows that no exemptions from taxation

of manufactories and machinery used in manufactories can be granted.

Grants of Land.—As regards any free grants of land by Municipalities or State to manufactories, I am not aware that within my district there has been in recent times any worth mentioning, or that there are cases wherein such grants of land may of themselves have had any considerable beneficial effect on the industry and prosperity of the locality.

(Signed) ALEX. RÖESLER FRANZ.

Rome, July 21, 1892.

No. 27.

Consul Cocoto to the Marquis of Salisbury.—(Received July 30.)

My Lord,

Brindisi, July 26, 1892.

WITH reference to Sir T. V. Lister's Circular despatch of the 27th June last, directing me to furnish a Return of exemptions from rating and taxation of manufactories and machinery used in manufactories, free grants of land to such manufactories, and showing the effects of such grants on the industry and prosperity of localities where they are in force; having sent copies of the Circular in question to the Vice-Consuls at Gallipoli and Taranto, I have the honour now to report that no such exemptions or grants exist within this province.

I have, &c.

(Signed) S. G. COCOTO.

No. 28.

Consul Pernis to the Marquis of Salisbury.—(Received July 23.)

My Lord,

Cagliari, July 17, 1892.

IN answer to Sir T. V. Lister's Circular despatch of the 27th ultimo, requesting me to send home a Return showing any exemptions within my Consular district from rating and taxation of manufactories and machinery used in manufactories, or of any free grants of land by Municipalities or States to such manufactories, &c., I have the honour to state that no exemptions of any kind, or free concessions of lands by Municipalities or State, is granted here to manufactories, and the only exemption

that was made here was that granted to the Royal Sardinian Railway Company (English Company) for the free import of the machinery and materials required for the construction and first year working of their railways, which materials were also exempt from town dues ("entrepôts").

This municipal exemption has been also extended to the Sardinian Secondary Railway Company (Italian) and to the Cagliari Gas and Water Company (English).

Neither the Municipality nor the Government have ever granted any gratuitous concession of lands for the establishing of new manufacturing works. Only the Town Corporation of Cagliari ceded to the Royal Sardinian Railway Company the area wanted for the building of their station and annexed stores.

In reference to the last query contained in the said despatch, concerning the demonstration of the benefits that have redounded to the country from the above-said exemptions and concessions, they are limited to those that the same Companies to whom these favours have been granted may have experienced. Indirectly, the country also has been benefited by them, inasmuch as those grants have facilitated the constructions and regular running of those services that have certainly aided the development of the general welfare.

I have, &c.

(Signed) E. PERNIS.

No. 29.

Consul-General Colnaghi to the Marquis of Salisbury.—(Received July 25.)

My Lord,

Florence, July 22, 1892.

FROM the information I have been able to obtain, I have the honour to report to your Lordship, in reply to Sir Villiers Lister's Circular despatch of the 27th ultimo, that, within this Consular district, there are no exemptions from rating and taxing of manufactories and machinery used in manufactories, nor are any free grants of land made by Municipalities or the State to such manufactories.

I have, &c.

(Signed) D. E. COLNAGHI.

No. 30.

Acting Consul Reader to the Earl of Rosebery.—(Received April 10.)

My Lord, *Genoa, April 8, 1893.*

WITH reference to Sir T. V. Lister's Circular despatch of the 27th June, 1892, and the Under-Secretary of State's letter of the 30th ultimo, marked Commercial, I have the honour to report that I cannot find that any exemptions from taxation or rating are accorded to manufactories or machinery used in manufactories, or that any free grants of land have been made to manufactories within this Consular district.

I have, &c.

(Signed) EDMUND G. READER.

No. 31.

Consul Chapman to the Marquis of Salisbury.—(Received July 7.)

My Lord, *Leghorn, July 4, 1892.*

REFERRING to Sir T. V. Lister's Circular despatch of the 27th ultimo, I have the honour to inform your Lordship that, within my Consular district, no exemptions exist from rating and taxation of manufactories, or machinery used in manufactories, nor have any free grants of land been made by the State or Municipalities to any manufactories.

If I might venture an opinion, it is that there is more likelihood of the rating being increased than of any exemptions being made.

I have, &c.

(Signed) W. PERCY CHAPMAN.

No. 32.

Consul Hartwell to the Marquis of Salisbury.—(Received July 21.)

My Lord, *Naples, July 18, 1892.*

IN reply to Sir T. V. Lister's Circular despatch of the 27th ultimo, I have the honour to inform your Lordship that, having made inquiries, I find that no exemptions exist on rates

or taxes on manufactories and machinery in my Consular district.

I have, &c.
(Signed) E. H. B. HARTWELL.

No. 33.

Acting Consul Towsey to the Marquis of Salisbury.—(Received August 13.)

My Lord,

Palermo, August 9, 1892.

WITH reference to Sir V. Lister's Circular despatch of the 27th June last, I have the honour to report that, from the inquiries made by me and by the Vice-Consuls in Sicily, I learn that at present there are no manufactories within this district enjoying any exemptions from rating and taxation, nor are there any free grants of land by the local or central authorities.

The State, however, grants to new manufactories exemption from taxation for three years from their erection, on application being made by the manufactories.

I have, &c.
(Signed) J. H. TOWSEY.

SWITZERLAND.

No. 34.

Consul Barton to the Earl of Rosebery.—(Received April 3.)

My Lord,

Geneva, April 3, 1893.

I HAVE the honour to acknowledge receipt of a note of inquiry from the Under-Secretary of State for Foreign Affairs regarding the Circular despatch of the 27th June, 1892.

On referring to the archives I find that the Circular in question was received here on the 29th June.

On the 2nd July letters were addressed to the Presidents of the Chambers of Commerce, Industry, and Agriculture in the Cantons of Geneva, Vaud, Neuchatel, Valais, and Fribourg, informing them of the nature of the Circular, and requesting their courteous assistance in replying to it.

Answers from the above-mentioned gentlemen were duly received. They were one and all to the effect that no exemptions from rating and taxation existed, neither had any grants of land been made by States or Municipalities.

I have this day had a personal interview on the subject with a high official, who confirms the above statement.

I cannot account for the fact that the Circular in question was not answered last July.

I have, &c.
(Signed) D. F. P. BARTON.

No. 35.

Consul Angst to the Earl of Rosebery.—(Received September 5.)

My Lord, Zurich, September 2, 1892.

I HAVE the honour to acknowledge the receipt of the Circular despatch dated the 27th June, 1892, instructing me to send home a Return showing any exemptions within my Consular district from rating and taxation of manufactories, and of any free grants of land by Municipalities or States to such manufactories.

I now beg to inform your Lordship that I have written to the Governments of the twenty Cantons and Half-Cantons belonging to my Consular district, viz.: Zurich, Argovie, Schaffhausen, Zug, Schwyz, Uri, both Unterwaldens, Lucerne, Bâle-Ville and Bâle-Campagne, Soleure, Berne, St. Gall, both Appenzells, Thurgovie, Glarus, Grisons, and Tessin.

According to the answers received, no such exemptions and grants exist in the Cantons of Berne, Uri, Unterwalden-le-Bas, Zug, Bâle-Ville, both Appenzells, Grisons, and Tessin.

As regards the other Cantons the information obtained is as follows:—

Zurich.—Exemptions and free grants, as mentioned in the Circular, are not known, but subsidies are sometimes given by communes, or land is sold at a low price in order to facilitate the establishment of factories.

Lucerne.—The same as Zurich.

Schwyz.—The Government of this Canton have granted exemption from taxation to the Gothard Railway Company.

Unterwalden-le-Haut.—The use of water for industrial purposes is mostly free of cost, or granted at a very small charge.

Glarus.—Some communes of this Canton facilitate the foundation of new industries by giving land, building materials, water rights free of cost.

Soleure.—Only one case of granting free land by a commune is known for the purpose of utilizing a water power.

Schaffhausen, Bâle-Campagne, St. Gall, Argovie, Thurgovie.—In these Cantons cases are known of communes having sold land to manufacturers at a low price, or of land having been given gratis, in order to facilitate the introduction of new industries.

I have, &c.
(Signed) H. ANGST.

UNITED STATES.

No. 36.

Acting Consul Clipperton to the Earl of Rosebery.—(Received September 22.)

My Lord,

Baltimore, September 8, 1892.

IN reply to Sir T. V. Lister's Circular despatch of the 27th June, I have the honour to transmit herewith to your Lordship a Return of the different Laws regarding the exemption from rating and taxation of manufactories and machinery used in manufactories, and of any free grants of land by Municipalities or States to such manufactories, and showing the effects of such exemptions and grants on the industry and prosperity of the localities where they are in force.

I have, &c.
(Signed) C. CLIPPERTON.

Inclosure in No. 36.

Report on the Rating and Taxation of Manufactories and Machinery used in Manufactories in the Consular District of Baltimore.

State of Virginia.—No exemptions from rating and taxation.

In former years there were exemptions allowed by some Municipalities as an inducement to capital. This has always been productive of great dissatisfaction to old-established enter-

prizes located in the same districts. A recent decision of one of the State Courts declares it to be unlawful for any Municipality to grant special privileges or to exempt any class or property from taxation, which decision, it is presumed, will put a stop to the practice.

State of West Virginia.—No exemptions from taxation, neither are any grants of land donated to manufactories.

State of Kentucky.—Under the present constitution of this State, the General Assembly may provide that Municipalities may exempt manufactories from municipal taxation for five years, as an inducement to location, but the General Assembly has not as yet passed such a Law.

Prior to the adoption of the new Constitution, various counties and cities, by special Laws, voted subscriptions to various Corporations, generally railroads, and while in the main beneficial results followed, it was deemed unwise and prohibited by the new Constitution.

State of Maryland.—Denton County, Chesterton County, Howard County, Frederick County, Montgomery County, Worcester County, Calvert County, Garrett County, Somerset County, Prince George's County, Carrol County, Baltimore County.

No exemption from taxation or free grants of land in any of the above-named counties.

Wicomico County.—The County Commissioners are authorized and empowered, whenever it shall seem to them expedient for the growth and development of manufactories and manufacturing industries in said county, upon the application, as hereinafter provided, of any individual, firm, or Corporation actually engaged in the business of manufacturing in said county, to abate all taxes for any year which may hereafter be levied for county or school purposes, by authority of said County Commissioners, upon any mechanical tools or implements, whether worked by hand or steam or other motive power, or upon the machinery, manufacturing apparatus, or engines owned by such industrial firm or Corporation, and actually employed and used in the business of manufacturing in said county, and which would be properly subject to valuation and taxation therein, provided such abatement of taxes in any year shall be extended to all persons, firms, or Corporations engaged in the manufacturing industry proposed to be benefited by the provisions of this sub-title of this Article.

This sub-title shall only apply to such manufacturing apparatus, plant, or engines established and used in manufacturing subsequent to the 5th April, 1888; and provided, further, that application for such abatement in any year, as aforesaid, shall be made and verified to the satisfaction of said County Commissioners by the oath of the party applying for the same, or other satisfactory evidence, before the annual revision and correction of the lists in such year and not afterwards; and said County Commissioners shall keep a record of all such abate-

ments made by them as aforesaid, and shall in each year publish, in some one of the newspapers published in said county, a full list of such abatements allowed for such year.

Alleghany County.—No exemption from taxation or free grants of land in this county. The city of Cumberland, the county seat, has, however, within the last few years, made certain exemptions, such as exemption from city water rent and city taxation, for a term of years to certain new industries, as an inducement for them to locate in Cumberland.

The city has also given a fee-simple title to a building lot, or given a two years' supply of fuel, or paid the rental of a building and supplied motive power to manufacturing establishments, with a very beneficial result.

Talbot County.—All manufactories and machinery used in same are exempted from taxation, and several propositions have been made by private individuals for free grants of land if manufactories were established in this county.

Cecil County.—Free grants of land to manufactories and exemption from taxation for ten years are given in the county seat with an apparent good effect on the industry and prosperity of the town.

Harford County.—No exemption from taxation or free grants of land exist, according to law, in this county. Exemption from municipal taxation, and also free grants of land and other aid have, however, been given to certain industries by local towns, with beneficial results, and these privileges can easily be secured when the occasion requires it.

Anne Arundel.—The County Commissioners are authorized to abate all taxes on manufacturing establishments for five years. No free grants of land.

Baltimore City.—The exemptions of manufacturing plants for the current year amounts to 1,605,711 dollars. Special exemption on the Consolidated Gas Company's plant, 590,219 dollars.

No. 37.

Consul Henderson to the Marquis of Salisbury.—(Received July 22.)

My Lord,

Boston, July 12, 1892.

IN compliance with your Lordship's instructions conveyed to me in Sir Villiers Lister's Circular despatch of the 27th ultimo, relative to exemptions from taxation of manufactories and machinery in this Consular district, I have the honour to report that no such exemptions are to be found in the legislation of the States of Massachusetts and Maine, but that in the State of Vermont the law (chap. 22, Section 273 of the Revised Laws)

enacts that all manufacturing establishments, all quarries and mines, and all capital invested in and used for operating the same, when the amount invested exceeds 1,000 dollars (about 200*l.*), shall be exempt from taxation for a term of five years from the time when such establishment, quarry, or mine may be put in operation; and in the State of New Hampshire the law (chap. 55, Section 11 and 12 of the Public Statutes) enacts that towns may exempt from taxation, for a term not exceeding ten years, any manufacturing establishment proposed to be erected or put in operation therein, and the capital to be used in operating the same, unless such establishment has been previously exempted from taxation in some town; also for the same term all materials of wood, copper, iron, and steel used in the construction of ships and vessels in such town, and such ships and vessels whilst in process of construction.

The effect of the exemptions existing in the two last-named States may be said to be inappreciable, for though the exemptions are doubtless of some advantage to proprietors and stockholders, they constitute too small a sum and extend over too short a time to be of material benefit to the industry and prosperity of the localities where they are in force, or to cause such establishments, if not otherwise remunerative, to be operated at a profit.

I have, &c.
(Signed) C. A. HENDERSON.

No. 38.

Acting Consul Harkness to the Marquis of Salisbury.—(Received August 4.)

My Lord,

Charleston, July 23, 1892.

I HAVE the honour to acknowledge the receipt of Circular despatch, dated the 27th June, 1892, with reference to the exemption from taxation of manufactories and manufacturing machinery, and also of any free grants of land to such manufactories in this district, and in accordance with the instructions contained therein I have the honour to report as follows:—

At the present time there are no Laws in force in the State of South Carolina exempting from rating and taxation manufactories and machinery used in manufactories. There was, however, formerly a State Law on the subject which exempted generally all manufacturing establishments for the first ten years after they were started; but this Law was repealed about four years ago, and taxes are now paid on all manufactories except those whose period of exemption under the above-named ten-year limitation has not yet expired.

So far as I am able to ascertain, there are no free grants of land by Municipalities or the State to be reported, and the prevailing impression among the best authorities here is, that the effect of the ten-year exemption on the industry and prosperity of the localities where the manufactories were situated was confined mainly to about 3 per cent. yearly saved to the stockholders on the assessed value of their property.

I also have the honour to report that I am officially informed that no exemption laws or land grants, as above mentioned, are in force in the States of North Carolina and Georgia.

I have, &c.

(Signed) A. HARKNESS.

No. 39.

Consul Sadler to the Earl of Rosebery.—(Received October 12.)

My Lord,

Chicago, September 30, 1892.

WITH reference to the Circular despatch of the 27th June last regarding exemptions from rating and taxation of manufactories or machinery used in manufactories, or of grants of land to manufactories, I have the honour to report that in no State in my Consular district is there any provision of law now existent authorizing exemption of taxation or grant of land at public expense for such purposes. On the contrary, the laws of almost every State provide that all property shall be assessed and taxed, or, specially, that the capital stock of all Companies or Associations for manufacturing purposes shall be assessed and taxed in like manner as the property of individuals, thus prohibiting such exemption.

The only case in which a State Law has been passed in contravention of this general principle which I can find was in Wisconsin in 1883, when an Act was passed (chap. 203) exempting from taxation for a period of three years the property of any Corporation or Association, formed under the laws of the State, used exclusively for the purpose of manufacturing oxide of zinc or metallic zinc from native ores of the State.

In this State also the city of Eau Claire appears in the past to have made some grants of land and money bonuses, but whether direct by the Municipality is unconfirmed; it is thought the city is more prosperous for such investments, though a liberal policy in assessment is found better for all parties.

In Kansas, however, there is no State Law either authorizing or prohibiting legislation of this character or restricting Municipalities from waiving their right to city taxes, which has been done in some instances for five years or less. Sundry Bills have also been passed in this State authorizing cities to issue bonds,

mostly for the erection of flour mills, and in one instance, in September 1891, the city of Salina was authorized to issue bonds for 10,000*l*. for the purpose of developing the city and to aid manufactories thereafter located or established therein. In Iowa, also, though there is no general law exempting manufactories or machinery from assessment and taxation, it is understood that Municipalities in some parts of the State have exempted such property from city taxation for a term of years.

It may be therefore stated that no grants of land or exemptions from taxation have been made by the States in this district; that no grants of land have been made direct by Municipalities; and that no exemption from taxation has been made by cities to manufactories, except in a few instances for a short period.

It has, however, been a common practice all over the country for individuals or Syndicates to grant lands or bonuses for the purpose of encouraging the establishment of manufactories in their locality; these are private transactions, made by subscription of citizens or by Associations for the benefit of the locality in which they are interested, and this encouragement is still continued in some measure.

I have &c.
(Signed) J. HAYES SADLER.

No. 40.

Consul Boyle to the Marquis of Salisbury.—(Received August 29.)

My Lord, *Galveston, Texas, August 16, 1892.*

IN accordance with instructions dated the 27th June last, I have the honour to say "that the Constitution of 1875 of the State of Texas prohibits grants of land or money to any incorporated enterprises such as manufactories, railroads, or any industrial or other corporations, nor can any enterprises be exempted from taxation."

I have, &c.
(Signed) JAMES BOYLE.

No. 41.

Acting Consul Johnson to the Marquis of Salisbury.—(Received August 15.)

My Lord, *New Orleans, July 28, 1892.*

IN compliance with the instructions contained in Sir T. V. Lister's Circular despatch of the 27th ultimo, requiring a Return

showing any exemptions in this Consular district from rating and taxation of manufactories, and machinery used in manufactories, and of any free grants of land by Municipalities or States to such manufactories, and showing the effect of such exemptions and grants on the industry and prosperity of the localities where they are in force, I beg leave to state :—

1. There are no free grants of lands to manufactories in Louisiana, because, under Article 56 of the State Constitution of 1879, it is provided, "The funds, credit, property, or things of value of the State, or of any political Corporation thereof, shall not be loaned, pledged, or granted to or for any person or persons, Association, or Corporation, public or private;"

2. The jurisprudence of this State is now settled, that the enumeration of exemptions from taxation contained in the Constitution is limitative, and that neither the State nor any political Corporation in the State can exempt from taxation any property or person other than that specially mentioned in the Constitution. The exemptions are of two sorts, licence and property tax, thus corresponding with the two forms of taxation :—

(a.) Under Article 206, Constitution of Louisiana, 1879: "Manufacturers other than those of distilled alcoholic or malt liquors, tobacco and cigars, and cotton-seed oil," are exempt from licence tax. Under Article 207, "There shall also be exempt from taxation and licence for a period of ten years from the adoption of this Constitution, the capital, machinery, and other property employed in the manufacture of textile fabrics, leather, shoes, hats, flour, harness, saddlery, machinery, agricultural implements, furniture and other articles of wood, marble, or stone, soap, stationery, ink and paper, boat-building, and chocolate, provided that not less than five hands are employed in any one factory."

In 1888 an amendment was adopted by which the time limit was extended to twenty years from the adoption of the Constitution (January 1st, 1880), and under which "manufacture of ice, fertilizers, and chemicals," was added to the list of exemptions.

The foregoing applies to subordinate political Corporations equally with the State, the subjects of taxation being the same under Articles 203 and 206 of the Constitution.

(b.) The exemptions from taxation of property are those already enumerated under Article 207 of the Constitution (exclusive of the property of churches and such institutions not referred to).

There have been several interpretations placed by the Courts upon the description of manufactures included in the language of the exempting clause.

An ice-cream confectioner is not a manufacturer.

Rice millers are manufacturers.

Saw-mills are not manufactories.

Manufactory of fish lines, rope, &c., is exempt.

Wooden box making is an exempted manufacture, but making paper boxes is not.

Manufacture of sashes, blinds, &c., is exempt, but of planks to be used in making other articles is not.

Making coats and pants out of already manufactured jeans, is not an exempted manufacture.

The foregoing includes almost all the matters that the Courts have passed on in this regard.

(c.) The effect of the exemptions seems to have been to cause an increase in manufactures. It amounts to a bounty of about 3 per cent. The manufactories seem to be thriving, and there have been new ones in almost every line exempted, inaugurated since the adoption of the Constitution. In fact, the result was so favourable that it caused the extension of time, under the Amendment of 1888.

Vice-Consul Howe reports that there are no exemptions at Pensacola, nor in the State of Florida from rating and taxation of manufactories, and machinery used in manufactories, and that there are no free grants of land by the State of Florida, or its Municipalities, for the erection of factories.

Vice-Consul Barnewall reports that there is no State law in the State of Alabama in regard to exemptions to manufactory either taxation or free grants of land.

Mr. Ben. B. Chism, Secretary of State, reports that there is no Law now in operation in the State of Arkansas as exempting from taxation manufactories and machinery used in manufactories.

I have not yet heard from the Secretary of State for the State of Mississippi, in reply to my letter of the 15th instant, in which I requested that I might be favoured with the information of the subject of this Return.

I have, &c.

(Signed) D. JOHNSON.

No. 42.

Acting Consul-General Fraser to the Earl of Rosebery.—(Received September 22.)

My Lord,

New York, September 13, 1892.

IN compliance with the request contained in Sir T. V. Lister's Circular despatch of the 27th June last, I have the honour to transmit, herewith inclosed, a Return of exemptions from rating and taxation of manufactories and machinery therein, and of free grants of land to such manufactories, and showing the effect of such exemptions and grants on the localities where they exist within the States of New York, New Jersey, Delaware,

Rhode Island, and Connecticut, comprising the Consular district of New York.

I have, &c.
(Signed) G. FRASER.

Inclosure in No. 42.

RETURN showing any Exemptions from Rating and Taxation of Manufactories, and Machinery used in Manufactories, and of any Free Grants of Land by Municipalities or States to such Manufactories in the States comprised in the Consular District of New York.

States.	Exemptions.		Land Grants—	
	Rating and Taxation.	Machinery.	By Municipalities.	By States.
New York ..	Capital of manufacturers employed wholly in the State exempt from State taxation only	None ..	None ..	None.
Delaware ..	For a limited time as set forth in Act of Incorporation	" ..	" ..	" ..
New Jersey ..	None	" ..	" ..	" ..
Rhode Island ..	"	" ..	" ..	" ..
Connecticut ..	"The Mather Electric Light Company" for five years..	" ..	" ..	" ..

Effects of Exemption.

New York.—It is extremely difficult to arrive at the effect, if any, of the exemption from State taxation of the capital of a manufacturer used wholly in this State.

The State cannot be called a manufacturing one, taking into consideration its much greater population compared with New Jersey and Rhode Island, where no exemption exists, but this may be accounted for on the grounds that the cost of subsistence is higher, especially in the neighbourhood of the large cities, and that the natural resources are not so numerous and favourably situated as in the States mentioned.

Delaware.—The Legislature, by special Acts, grants exemption from taxation for a limited time to numerous Corporations applying for incorporation, and as these Corporations are scattered all over the State no particular locality is specially benefited by their existence.

This exemption is no doubt held out to Corporations to

induce them to erect manufactories within the State, and it would seem to have had the desired effect.

The Acts of the Legislature giving the exemptions referred to do not appear to be published, and are very numerous, and it would be practically impossible to particularize them.

Connecticut.—The town of Manchester, by vote of its inhabitants, which was legalized by the State General Assembly exempted the Mather Electric Light Company from town taxes for the period of five years, and on account of this exemption the works of the Company were established there.

It is believed that with the increased population and disbursements of wages, the wealth and prosperity of the town have been increased.

This would appear to be the only instance in the State in which exemption was granted to a manufactory.

No. 43.

Consul Clipperton to the Earl of Rosebery.—(Received December 19.)

My Lord,

Philadelphia, December 1, 1892.

WITH reference to the Circular despatch dated the 27th June last, instructing me to send home a Return showing any exemptions, within my Consular District, from rating and taxation of manufactories, and machinery used in manufactories and of any free grants of land by Municipalities or States to such manufactories; and showing the effect of such exemptions and grants on the industry and prosperity of the localities where they are in force; I beg to inform your Lordship that section 1, Article IX of the Constitution of the State of Pennsylvania, states that "all taxes shall be uniform, upon the same class of subjects, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws; but the General Assembly may, by general laws, exempt from taxation, public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of a purely public charity," and that all laws exempting property from taxation, other than the property above enumerated, shall be void.

An exemption exists, however, in the case of manufacturing corporations which are exempted from taxation on their capital stock for State purposes. The same exemption limited, however, to "exclusively manufacturing corporations" is contained in the Acts of 1889 and 1891, copy of which I herewith inclose. There is doubt in the minds of public officers as to the constitutionality of these exemptions, but this point has never been adjudicated.

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I 2

There is no law in the State permitting exemption from local taxation to manufacturing corporations.

In the State of Indiana there are no exemptions from rating and taxation of manufactories, and machinery used in manufactories, and no free grants of land by Municipalities or State to such manufactories.

In the State of Michigan there are no exemptions from taxation by virtue of any State enactment; although in some instances manufactories have been exempted from municipal local taxation by the cities in which the plant is located.

In the State of Ohio there are no exemptions from rating and taxation, although as in the State of Pennsylvania, grants of land are made by Municipalities to manufactories, so as to locate them in their midst, and it is done chiefly by the small interior towns. By these grants Municipalities are made to thrive, property increases in value, they become more populous and benefit the wage-earner.

I have, &c.
(Signed) ROBT. CHAS. CLIPPERTON.

Inclosure in No. 43.

Exemption contained in the Acts of 1889 and 1891: Pennsylvania.

PROVIDED, "that the provisions of this Section shall not apply to the taxation of the capital stock of Corporations, limited partnerships and joint-stock Associations, organized exclusively for manufacturing purposes, and actually carrying on manufacturing purpose, and actually carrying on manufacturing within the State, excepting Companies engaged in the brewing or distilling of spirits or malt liquors, and such as enjoy and exercise the right of eminent domain."

No. 44.

Consul Donohoe to the Marquis of Salisbury.—(Received August 17.)

My Lord,

San Francisco, August 2, 1892.

I HAVE the honour to acknowledge the receipt of Sir T. V. Lister's Circular despatch of the 27th June last, instructing me to make a Return showing any exemptions, within my Consular district, from rating and taxation of manufactories, and machinery used in manufactories; and of any free grants of

land by Municipalities or States to such manufactories. In none of the Pacific States is there any exemption from rating and taxation of manufactories or machinery in them, in fact the State Laws require all property to be taxed.

As to free grants of land by Municipalities or States, I can find no such cases existing, though there have been cases of private subscriptions being raised in a town to induce a firm to build a factory in it. In the city of Oakland near here, at present a subscription has been started to raise the sum of 50,000 dollars in order to induce the Fulton Iron Works, of San Francisco, to remove their works over there.

I have, &c.

(Signed) DENIS DONOHUE.

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INTERNATIONAL MONETARY CONFERENCE, BRUSSELS.
1892.

INSTRUCTIONS
TO THE
DELEGATES OF GREAT BRITAIN,
AND THEIR
REPORT:
TOGETHER WITH THE
PROCEEDINGS OF THE CONFERENCE.

Presented to both Houses of Parliament by Command of Her Majesty.



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1893.

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Memorandum of Instructions for the British Delegates appointed by Her Majesty's Government to attend the International Monetary Conference at Brussels.

The Government of the United States, having taken measures to promote a Conference of the European Powers in order to take into consideration the present condition of silver, expressed a wish to Her Majesty's Government that a ratio might be established by the leading nations for the coinage of silver at their several Mints.

It was intimated in reply that Her Majesty's Government would not be able to accept an invitation couched in such terms.

The Government of the United States have now proposed a Conference of the Powers for the purpose of considering what measures, if any, can be taken to increase the use of silver in the currency systems of nations.

Her Majesty's Government have accepted the invitation conveyed in these terms, taking note of the statement of the Government of the United States that it does not interpose any conditions which will embarrass any Government willing to confer generally upon the subject of the proper and most advantageous relation of silver to the coinage of the world.

The Honourable Sir Charles W. Fremantle, K.C.B., the Deputy Master of the Mint;

Sir William Houldsworth, Bart., M.P.;

Sir Charles Rivers Wilson, K.C.M.G., Comptroller of the National Debt;

Bertram Currie, Esq.; and

Alfred de Rothschild, Esq.,

have been appointed Delegates to represent the United Kingdom at the Conference.

Mr. Babington Smith, of Her Majesty's Treasury, will accompany the Delegates as their Secretary.

The Government of India has appointed two Delegates who will represent India, as distinct from the United Kingdom, and who will act under separate instructions issued to them by the Secretary of State in Council of India.

The Conference will meet at Brussels on the 22nd day of the current month of November.

The invitation to the Conference contemplates the study of any measure for the extended use of silver which may be proposed.

Under it a Delegate may suggest a scheme for a double standard, but it admits also the discussion of any scheme for promoting the use of silver as currency.

Her Majesty's Government do not limit the powers of the British Delegates in the first instance by any prohibition to enter on such field of inquiry as the members of the Conference may desire to cover. The British Delegates are therefore permitted to agree, if the Delegates of other nations should also agree, to the following mode of proceeding, viz.: that each Delegate should speak and vote on any defined plan proposed for the extended use of silver, on the understanding that he does not thereby in any sense commit the Government which has delegated him to the Conference, but that in the event of the adoption of such a plan or plans by the Conference, the Conference is to adjourn in order to enable the respective Governments to study the plans so adopted, and that, after such examination, the Delegates will be instructed by their respective Governments as to the adoption, rejection, or modification of the plans.

It is of the essence of the question that the ideas of the Delegates should be reduced to working plans, and should thus be subjected to practical criticism. For that purpose it is neither necessary nor desirable to exclude any particular idea from discussion, provided always that it is put forward in practical form.

The British Delegates are authorised to declare that Her Majesty's Government are prepared to adopt now the measures which their predecessors offered in 1881 as regards action in the United Kingdom in order to promote the use of silver, but under the conditions which were then laid down as the basis of the offer; and it should be clearly stated that this declaration is made on behalf of the United Kingdom only, and not on that of the Government of India.

Above all things the Delegates should study with the greatest care every measure suggested to insure a wider use of silver in currency, before they come to the conclusion that matters must be left as they are.

The Government of India will give its own instructions to its Delegates, but the British Delegates may, if invited by the Government of India, join the Delegates of India in warning the Conference that India cannot and must not be expected to keep her Mint open for the free coinage of silver if no other leading nation does the same.

The British Delegates will report, as they may think it necessary, the Proceedings of the Conference to the Lords Commissioners of Her Majesty's Treasury.

Treasury, November 15, 1892.

INTERNATIONAL MONETARY CONFERENCE AT BRUSSELS.

REPORT.

TO THE LORDS COMMISSIONERS OF HER MAJESTY'S TREASURY.

MAY IT PLEASE YOUR LORDSHIPS.

WE have the honour to report that, in accordance with the instructions which your Lordships were pleased to give us, we attended the meetings of the International Monetary Conference at Brussels.

A full report of the proceedings is contained in the official *Procès-verbaux*, which we have the honour to forward herewith, in the original French and in an English translation.

The Conference assembled at the invitation of the Government of the United States, and was convened, as your Lordships stated in the instructions which you were pleased to give us, "for the purpose of considering what measures, if any, could be taken to increase the use of silver in the currency systems of nations."

Origin of the Conference.

The circumstances under which this invitation was given are set out in the "Statement and Programme" submitted to the Conference by the Delegation of the United States, and in the speech which Senator Allison made in presenting it.

"It is generally admitted," the statement begins, "that the very large depreciation in silver as compared with gold during the last twenty years, and the frequent and violent fluctuations in the gold price of silver incident thereto, have been injurious to the commercial and other economic interests of all civilised countries, and have caused, and are causing, serious evils and inconveniences to trade, the full extent of which cannot be measured."

It will be remembered that the last International Monetary Conference, convened for the same purpose, namely, to remedy the evils thus described, met eleven years ago in Paris at the joint invitation of France and the United States, and that it was adjourned without having arrived at any result. Since that period the United States, through various acts of legislation, have acquired a very large amount of both coined and uncoined silver. Notwithstanding these specific measures the price of silver has not improved, but on the contrary has experienced a gradual and considerable depreciation. The United States, however, believing in a general desire for a larger use of silver as money throughout the world, thought the time had arrived for holding another International Conference for the consideration of the same subject. It was recognised by the Government of the United States that some European countries might not be willing to adopt the remedy which the United States would prefer, namely "the establishment of some fixity of value between gold and silver, and the full use of silver as a coin metal upon a ratio to gold to be fixed by an agreement between the great commercial peoples of the world." In order therefore that no nation might be deterred from joining in the Conference by unwillingness to entertain that particular proposal, the invitation was conveyed in the general terms above quoted, and it was expressly stated that the Government of the United States did not wish to impose any conditions which would embarrass any Government that might be willing to confer upon the most advantageous relation of silver to the coinage of the world.

The invitation thus given was accepted by all the most important States, and at the First Meeting of the Conference, on November 22nd, 1892, the Delegates of twenty Governments were present, representing Austria-Hungary, Belgium, Denmark, France, Germany, Great Britain, British India, Greece, Italy, Mexico, the Netherlands, Norway, Portugal, Roumania, Russia, Spain, Sweden, Switzerland, Turkey, and the United States of America. The proceedings were opened by Mr. Beernaert, President of the Council and Finance Minister of Belgium. Mr. Montefiore Levi, Senator and Delegate of Belgium, was chosen as President, and his Excellency Mr. Edwin H. Terrell, Minister of the United States at Brussels and one of the Delegates of the United States, was chosen Vice-President.

Meeting of the Conference.

It was naturally to the Delegates of the United States that the Conference looked for the presentation of proposals for carrying out the object set forth in their invitation, and for an indication of the course which it was desired that the deliberations of the Conference should follow.

Programme of the United States.

Accordingly at the Second Meeting the statement to which we have already referred was presented by the Delegates of the United States. They frankly stated that the plan which they themselves favoured, and which was supported by public opinion in the United States with singular unanimity, was a plan for international bi-metallism. It was formulated in the following terms:—

- “1. That the re-establishment and maintenance of a fixed parity between gold and silver, and the continued use of both as coined money of full debt-paying power, would be productive of important benefits to the world.”
- “2. That these ends can be accomplished by removing the legal restrictions which now exist on the coinage of silver into full legal tender money, and restoring by international agreement the parity of value between the metals which existed prior to 1873 at such ratio as may be decided upon by this Conference.
- “3. That the essential provisions of such an international agreement should be—
 - (a.) Unrestricted coinage of both gold and silver into money of full debt-paying power.
 - (b.) Fixing the ratio in coinage between the two metals.
 - (c.) Establishing a uniform charge (if any) to the public for the manufacture of gold and silver coins.”

But at the same time the United States Delegates desired that other plans for the enlarged use of silver should be considered. They expressed a hope that the Powers represented at the Conference, or some of their Delegates, would submit proposals directed to this end, and suggested for discussion two such proposals, viz., (1) the plan of Mr. Moritz Levy, proposed at the Conference of 1881, and (2) the plan proposed by the late Dr. A. Soetbeer, the distinguished German statistician. We shall refer later to these proposals, and it will be sufficient here to indicate that both of them contemplate an increase in the use of silver by substituting silver coin or notes based on silver for such small gold coins and small notes based on gold as are at present in circulation.

As to the order of the proceedings, the Delegation of the United States desired that the discussion of their own bi-metallic proposal should be postponed till after such subsidiary proposals as might be brought forward had been considered.

General
resolution
moved by
Senator
Allison.

Senator Allison concluded the speech in which he introduced this programme by moving a general resolution, “That in the opinion of this Conference it is desirable “that some measures should be found for increasing the use of silver in the currency “systems of the nations.”

It appeared to us that this resolution was merely a recapitulation of the terms of the invitation which had been accepted by Her Majesty's Government, and accordingly Sir Rivers Wilson, on behalf of the British Delegation, at once declared that we accepted the resolution in that sense, reserving at the same time full liberty of opinion upon the particular schemes which might be brought forward to give effect to it.

Declarations
of various
Delegations.

A series of declarations followed from the representatives of various Powers. From them it appeared that the Delegates of Germany, Austria-Hungary, and Russia were instructed not to express an opinion or to vote upon any resolution, while the representatives of Roumania, Portugal, Turkey, and Greece, being without special instructions, felt themselves compelled to take up a similar attitude of reserve. The Delegates of Spain, Denmark, Mexico, and the Netherlands accepted the resolution from the same point of view as the British Delegation.

The attitude of the States forming the Latin Union was not so clear. Mr. Tirard (*Delegate of France*) expressed a feeling of disappointment at the programme of the United States. He said that he had expected that it would contain more formal proposals than it did, and that he considered it illogical to postpone the discussion of the bi-metallic proposal till after the subsidiary suggestions had been considered. At the same time he stated that the French Delegates did not oppose the resolution. The Delegates of Italy and Belgium said that they were unable to take up a different attitude from that of their colleagues in the Latin Union. Although no definite opposition was offered to the resolution by the Delegates of these three countries, the general impression given was that the States of the Latin Union, and France in particular, were, at the outset at any rate, disposed to criticism rather than to cordial co-operation with the objects of the Conference.

It was evident after these declarations that it would be of little use to take a vote upon the resolution, seeing that a large number of Delegates would be compelled to abstain. Senator Allison said that under these circumstances he would not press for an immediate vote, and the resolution was allowed to drop. Resolution withdrawn.

In the course of the meeting, Mr. de Rothschild, in response to the invitation contained in the programme of the United States, laid upon the table a proposal for the consideration of the Conference.

At the Third Meeting, then, the first business before the Delegates became the consideration of the two subsidiary schemes mentioned in the programme of the United States Delegation, and of Mr. de Rothschild's proposal. It was evident that so large a body as the full Conference could not effectively discuss proposals involving many technical details, and accordingly a Committee was appointed for the examination of these and other schemes which might be brought forward by members of the Conference. It consisted of the following members:— Appointment of a Committee to consider proposals.

Mr. Cannon	-	-	-	United States.
Don Joaquin D. Casasus	-	-	-	Mexico.
Mr. Cramer-Frey	-	-	-	Switzerland.
Mr. de Foville	-	-	-	France.
Mr. de Osma	-	-	-	Spain.
Mr. Forssell	-	-	-	Sweden.
Sir C. Fremantle	-	-	-	Great Britain.
Sir G. Molesworth	-	-	-	British India.
Mr. Raffalovich	-	-	-	Russia.
Mr. Sainctelette	-	-	-	Belgium.
Mr. Simonelli	-	-	-	Italy.
Mr. Tietgen	-	-	-	Denmark.
Mr. van den Berg	-	-	-	The Netherlands.

And the President and Secretary of the Conference.

Mr. Alfred de Rothschild was also invited to attend the Committee during the discussion of his scheme.

The Report presented by this Committee at the Fourth Meeting of the Conference (December 2nd) is an important document. It first records information furnished by members of the Committee upon certain preliminary points, viz.: (1) the possibility of restricting the production of silver by legislative means; (2) the probable future of silver production; (3) the policy of the United States as to silver purchases; and (4) the policy of British India as to silver coinage. Report of Committee.

It then discusses in detail Mr. de Rothschild's plan. This plan had been indicated by its author in the following words, in the statement which he had submitted to the Conference:—

"The American Government are purchasers of silver to the amount of 54 millions of ounces yearly, and I would suggest that, on condition these purchases were continued, the different European Powers should combine to make certain yearly purchases, say to the extent of about 5,000,000*l.* annually; such purchases to be continued over a period of five years, at a price not exceeding 43 pence per ounce standard, but if silver should rise above that price, the purchases for the time being to be immediately suspended."

The criticisms made in the Committee rendered it apparent that in order to meet objections raised in various quarters, some modifications were necessary; in particular, that provision would have to be made for the monetary use of the silver bought, and that there might be difficulties as to the exact limit of price suggested by Mr. de Rothschild, especially in view of existing silver legislation in America. The proposal was therefore somewhat modified, with Mr. de Rothschild's assent, and formulated by the Committee in the following shape:—

1. The European States, which agree upon the basis of this proposal, will buy in each year thirty million ounces of silver on condition that the United States agree to continue their present purchases and that unlimited free coinage be maintained in British India and Mexico.
2. The proportion of the purchase to be made by each country will be determined by agreement.
3. The purchases will be made at the discretion of, and in the manner preferred by, each Government.

4. These amounts of silver will be devoted in each country to the monetary uses authorised by the legislation of that State; and the silver will be either coined or made the guarantee for an issue of ordinary or special notes as each Government may think fit.
5. The arrangement will be made for five years. The obligatory purchase of silver will be suspended should the metal reach, in the London market, a price determined by agreement between the Governments. The purchases may be resumed if the Delegates of the different countries interested should agree upon the fixing of a new limit of price. They should be resumed in any case if the price falls below the original limit.

As to the other plans before the Committee, the Soetbeer plan was abandoned—as merely another version of the Levy plan, with added and undesirable complications; and the Levy plan was drawn up in the following form:—

1. The withdrawal from circulation, within a period of of gold coins containing a weight of less than 5·806 grammes of fine gold (20-franc pieces).
2. The withdrawal of notes of a less value than the coin of 20 francs or its equivalent, an exception being made of notes representing a deposit of silver.

The Committee was unanimous in thinking that both these plans, viz., the Levy plan, and also that of Mr. de Rothschild, should be brought before the Conference for discussion; but as to the merits of the plans there was considerable difference of opinion. A large majority were in favour of the Levy plan, but it was felt that if it were adopted its effects, though beneficial, would not be of great importance. Moreover, as it would entail considerable inconvenience for Great Britain, Sir C. Fremantle declared that he could only support it if it were joined with a scheme such as that of Mr. de Rothschild, or some other scheme tending in the same direction, by which other countries would make some effort to assist the common object. On the other hand, to Mr. de Rothschild's proposal there was considerable opposition. Its opponents desired to express their objections, but at the same time in such a form as would not prevent the plan from being brought before the Conference. With this view, the representatives of the Latin Union on the Committee, while accepting the above-mentioned recommendation that the plan should be discussed by the Conference, presented a motion declaring that if the plan were adopted by the Conference they would be unable to recommend it to their Governments.

This motion was opposed by Sir C. Fremantle on the ground that it was premature and illogical on the part of a Committee, appointed to report to the Conference, to declare what their action would be in the event of certain proposals being adopted by the Conference. The motion was, however, carried by seven votes to six, Messrs. Forssell (Sweden), Raffalovich (Russia), and Tietgen (Denmark) joining with the four representatives of the Latin Union to support it, and the remaining members of the Committee, viz., Sir C. Fremantle (Great Britain), Sir G. Molesworth (British India), Mr. Cannon (United States), Mr. de Osma (Spain), Don Joaquin Casassus (Mexico), and Mr. van der Berg (The Netherlands) opposing it.

Discussion
upon the
Report.

At the Fourth Meeting of the Conference this Report was presented and the discussion upon it began. It was evident from the first that the inconveniences foreseen by Mr. Tirard as to the order of the discussion were not imaginary. Mr. Boissevain (Delegate of the Netherlands), the first speaker, assumed that the hostile vote of the Committee upon Mr. de Rothschild's scheme implied its rejection, and urged that the discussion upon bi-metallism should at once begin. The Conference, however, decided to adhere to the order of proceeding which it had adopted, and the discussion upon the Report was continued. It became evident that in such a discussion it was impossible to confine speakers strictly to the matter in hand, and that general arguments must necessarily be admitted; and at the end of the meeting it was decided that in continuing the discussion at the next meeting the liberty of speakers to treat the question from the general point of view should be fully recognised.

At the opening of the Fifth Sitting the position with regard to Mr. de Rothschild's scheme was this: The Committee had recommended the Conference to consider it, but had, by a majority including all the representatives of the Latin Union, declared that, even if the Conference accepted it, they could not recommend its adoption. At the Fourth Meeting Mr. Boissevain had declared that there were insurmountable obstacles to its adoption by the Government of the Netherlands; General Strachey had said that unless it received more favour than was indicated by the Report he would be unable to support it; Mr. Allard, one of the Belgian Delegates, had declared that it was insuffi-

cient; and Mr. Bertram Currie had spoken in the strongest terms against any attempts artificially to raise the price of silver. In these circumstances it appeared clear that the plan would not receive an effective measure of support; and Sir Rivers Wilson declared, on behalf of himself and Sir Charles Fremantle, that, recognising that this want of support would prevent them from recommending the plan to their Government, they would refrain from taking part in a detailed discussion of it, although they did not consider it inconsistent with the mono-metallist opinions which they held. Mr. McCreary (*Delegate of the United States*) then stated that he did not consider Mr. de Rothschild's proposal, as it stood, equitable to the United States, and therefore that he would be unable to support it. In view of these various declarations Mr. de Rothschild stated that he considered it respectful to the Conference to withdraw his plan.

Withdrawal
of Mr. de
Rothschild's
plan.

The discussion continued nominally upon the Levy plan; but it was evident that though this proposal was regarded with favour, it was not considered important enough to receive really vigorous support.

At the Sixth Session the discussion upon the general bi-metallic proposal of the United States was formally opened and lasted till the end of the Ninth Session. This discussion was of wide range, and of great interest from the theoretical and, in some of its aspects, from the practical point of view. We do not consider it necessary to recapitulate it here, since it will be found in full in the Minutes of the Proceedings of the Conference which accompany our Report. As a practical contribution to the solution of present difficulties, its interest mainly lay in the information which it gave as to the opinions entertained in various countries on important monetary questions, and such information we propose to summarise in a later part of this Report.

Discussion
upon bi-
metallism.

In the course of the discussion a general desire was felt that some statement should be made on behalf of France. The attitude of the French Delegates had been one of great reserve, and their precise views on the bi-metallic question were unknown. Great interest, therefore, was felt in the speech which Mr. Tirard made at the Seventh Session, a speech which acquires additional importance from the fact that since that time he has become Minister of Finance. He declared, with the greatest clearness, that he could not advise his Government to open the French mints to the free coinage of silver, unless there were a general agreement on the part of other countries to open their mints also. He therefore considered that unless there should be a decided change of opinion on the part of Great Britain, Germany, Austria-Hungary, the Scandinavian countries, and other mono-metallic States, the question of returning to the free coinage of silver in France must be looked upon as settled. With regard to the subsidiary plans which had been proposed, he anticipated objections from the French public to the withdrawal of the 10-franc piece, and did not expect any increased use of silver in consequence of such a measure; while, with reference to Mr. de Rothschild's plan, he expressed strong objection to any measure which would add to the French stock of silver.

At the Ninth Session the discussion upon the bi-metallic proposal was brought to a close. After the declarations which had been made in the course of the debates, it was felt that it was unnecessary to proceed to a division, and Senator Allison declared, on behalf of the United States Delegation, that in the circumstances they would not press for a vote upon it.

No Vote
taken upon
the bi-
metallic
proposals.

It was now generally felt that it would not be useful to prolong the discussions of the Conference. At the same time some members of it were anxious not to give up all hope of a more fruitful result at a later period. It was thought possible that consideration of the proceedings by the various Governments concerned might incline them to view more favourably at any rate some of the subsidiary proposals which had been or might be put forward, and accordingly, on December 17th, the adjournment of the Conference was moved in the following terms by Baron de Renzis (*Delegate of Italy*):—

Adjournment
of the Con-
ference.

“The International Monetary Conference, recognising the great value of the arguments which have been developed in the Reports presented, and in the discussions at the meetings, and reserving its final judgment upon the subjects proposed for its examination, expresses its gratitude to the Government of the United States for having furnished an opportunity for a fresh study of the present condition of silver.

“The Conference suspends its labours, and decides, should the Governments approve, to meet again on the 30th May 1893.

"It expresses the hope that during the interval the careful study of the documents submitted to the Conference will have permitted the discovery of an equitable agreement, which shall not infringe in any way the fundamental principles of the monetary policy of the different countries."

For ourselves we are unable to share these hopes. It appeared to us that the discussions had shown such divergence of interests that there was little more prospect of an agreement after an interval of a few months. We did not, however, think it politic to oppose a wish generally entertained by the Conference, and therefore contented ourselves with expressing doubts as to the advantages to be gained from further meetings, and urged that under no circumstances should the Conference be called together again except for the consideration of a definite proposal emanating from the Government of the United States or some other Government.

At the same time we thought it right to say that, pending any adjournment of the Conference, Her Majesty's Government must retain its absolute liberty of action; and, what is perhaps more important, in view of the present state of the silver question, as affecting India, a formal declaration to similar effect was made by General Strachey on behalf of the Government of India.

Other subsidiary schemes considered by the Committee.

The terms of Baron de Renzis' motion expressed the general feeling that in order that any proposal might have a chance of acceptance it must be of such a nature as not to infringe the fundamental principles of the monetary policy of the countries concerned. Several proposals claiming to have such a character were brought before the Conference, besides those of Mr. de Rothschild and Mr. Moritz Levy, to which we have already referred, and formed the subject of a Second Report by the Examining Committee. They did not meet with any serious support in the Committee, and the Report expressed no definite opinion upon their merits. It states that the proposals were too closely allied to the general debate before the Conference to enable the Committee to pronounce an opinion upon the opportuneness of their discussion in full Conference. At the same time, the Committee suggested that they should form the subject of later study by the Delegates and their Governments; and it may therefore be useful to indicate briefly their nature.

Mr. Tietgen's plan.

MR. TIETGEN (*Delegate of Denmark*) submitted to the Committee a plan for the creation of an international silver currency. The weight of the coins was to be fixed by the market price of silver, with a deduction of 10 per cent. for seignorage; and if the market price should vary considerably, re-coinage might be decided upon by agreement.

The coins would be unlimited legal tender in the country which had coined them, and every bank of issue would be allowed to hold the coins without distinction of country as part of its metallic reserve, and would have the right of demanding from any country repayment in gold for the coins of that country which it held.

The Committee recorded two objections to this scheme: one, that it would not necessarily follow that every country would be able to pay in gold when the demand came; the other, that re-coinage, and the consequent simultaneous circulation of coins of the same denomination and different weights, would be very inconvenient; but it did not attempt to remodel the scheme so as to meet these objections, which indeed appear to be fundamental.

Sir William Houldsworth's plan.

SIR WILLIAM HOULDSWORTH'S proposal, which was originally suggested by Mr. Huskisson in the year 1826, was intended to provide a means by which those countries where there was strong objection to an increased use of silver coin, or to change in the monetary habits of the people, would be able to join, to some extent, in a bi-metallic union. Such countries would issue receipts or certificates for amounts above a certain minimum limit against deposits of silver, to circulate as full legal tender at a fixed ratio to gold. Given that a bi-metallic régime were established in some other countries, Sir William Houldsworth expected that such certificates as these would pass into circulation at par, and would be used as bank reserves.

The Committee did not discuss this plan beyond pointing out that if these certificates were to be full legal tender, the general objections entertained by some countries to bi-metalism would apply equally to this modified form of bi-metalism.

Mr. Allard's plan.

Finally, there was the proposal of MR. ALLARD (*Delegate of Belgium*). It was of a complicated character, but it may be briefly described as providing for the creation of international silver notes representing the silver value for the time being of a certain sum expressed in gold. Any profit on these notes, from a rise in the price of silver,

would go to the issuing State, while any loss would be divided among the States joining in the scheme.

There were other suggestions also, one of them by Mr. de Foville, one of the French Delegates, for the creation in one form or another of silver warrants for commercial purposes in order to facilitate dealings in silver. Some members of the Committee held—and in this we agree with them—that the consideration of such measures did not fall strictly within the province of a Conference which had been assembled to consider means for extending the *monetary* use of silver. Other plans.

The Conference did not succeed in finding any definite and practical scheme upon which a large number of the Delegates could agree; but it must not therefore be considered that it did not produce any results of importance. Valuable information upon the monetary question generally has been obtained and recorded; and, in particular, the declarations made of the views of various countries have given some indication of the limits within which a remedy must be sought, if it is to be sought anywhere, for such evils as there may be in the present situation. Results of the Conference.

Certain countries declared themselves frankly as adherents of the mono-metallic faith. The representatives of Germany, Denmark, Sweden, and Norway were clear in their declarations that no change would be made in the gold basis of the currency of those countries. Switzerland, though a member of the Latin Union, declared explicitly that she was an unshaken adherent of the mono-metallic principle, and the Delegate of Austria-Hungary was equally explicit in his statement that his Government had every intention of abiding by the gold standard which they are in course of adopting. On the bi-metallic side the lead was taken by the United States. The Netherlands were prepared to join a bi-metallic union, provided that Great Britain formed a part of it; and Spain and Mexico were ready to adopt bi-metallism or other measures which would have the effect of raising the price of silver. No declaration of policy was made on behalf of Russia, though one of her Delegates, speaking personally, was an active supporter of the gold standard. The Roumanian Government did not consider bi-metallism a practical possibility, and Turkey and Portugal expressed no opinion. Views of various countries on the monetary question.

There remained the four States which, with Switzerland, form the Latin Union, viz.: France, Italy, Belgium, and Greece. Upon their attitude to a great extent the situation turned. A partial bi-metallic agreement might have been within the range of possibility, had these States been willing to enter it. But Mr. Tirard (*Delegate of France*), as we have stated above, declared himself opposed to any union for the adoption of bi-metallism, unless such union included among its members Great Britain, Germany, Austria-Hungary, and Russia.

Belgium, Italy, and Greece having announced that they could not take up an attitude different from that of their colleagues of the Latin Union, the result clearly is that unless an event should take place, which, in our opinion, is highly improbable, unless, that is, there should be a radical change in the declared monetary policy of Great Britain, Germany, Austria-Hungary, and Russia, an international agreement for fixing a ratio between the values of gold and silver must be regarded as beyond the range of practical politics. Without such radical change there is no prospect of the realisation of the conditions which, in the opinion of bi-metallists themselves, are necessary for the establishment of an efficient bi-metallic system by international agreement.

We have indicated in the course of this Report the various subsidiary proposals which were brought forward with a view to increasing the monetary use of silver. We gave to all such proposals the careful examination which our instructions charged us to give; but in spite of the desire to arrive at some practical compromise which animated a large number of the Delegates present, it was found impossible to discover any ground of agreement. One great difficulty which was experienced with regard to these proposals was that in each case they were thought to involve disproportionate sacrifices on the part of certain countries. This is perhaps inevitable, but it is a most serious obstacle to the adoption of any compromise. It was the recognition of this fact which led us to express the opinion that further meetings of the Conference would not be productive of practical results.

Your Lordships will now readily understand how great the difficulties were which had to be contended with, and how unlikely, if not impossible, it was that any practical result should have been arrived at. The silence of both Germany and of Austria-Hungary was merely broken for the purpose of giving vague and general assurances. The attitude of France was nearly as reserved, although Mr. Tirard made two very

eloquent speeches, the principal point of which was that he expressed himself perfectly satisfied with the present monetary situation in France. Italy and Belgium might have been disposed to take a more active part, but their adhesion to the Latin Union, from financial and other considerations into which it is unnecessary for us to enter, prevented them from taking up any independent attitude of their own, and led them to endorse in every respect, in pursuance of an arrangement previously entered into, the policy and views of France. Holland and Spain gave frequent proofs of great good will, but found themselves in a minority.

As regards the Delegates of the United States themselves their position was very peculiar. Since their appointment the Presidential Election had taken place, with the result of placing the Democratic party in power instead of the Republican, and great uncertainty necessarily prevailed as to the attitude and intentions of a new President and Congress. In these circumstances it soon became evident that the Delegates were anxious for an adjournment of the question, to give the new Government the opportunity of expressing their views, and that the Conference would adjourn without any practical result; but, nevertheless, some very important statements and declarations were elicited in the course of the debates. In the first place, in addition to the distinct declarations on the part of some of the most important European Powers that they would not entertain bi-metallism, to which we have already alluded, the Representatives of the United States announced, in very clear language, that at any moment their Government might be disinclined to continue their purchases of silver, and that they were determined to protect their stock of gold. The Indian Delegates alluded to the possibility of their Government finding itself under the necessity of closing its mints to the free coinage of silver. As regards the attitude of the British Delegates, we did our utmost to carry out the instructions laid down for us by Her Majesty's Government; and it is with great satisfaction that we are able to record that the Delegates of the United States expressed their appreciation of the sympathy which they had met with from Great Britain, and that they declared that in that respect, if in no other, they were perfectly satisfied with the results of the Conference.

We desire, in conclusion, to place upon record our appreciation of the services rendered to the Delegation by our Secretary, Mr. H. Babington Smith, whose ability and industry, added to a thorough knowledge of the subject, have at all points essentially lightened our task.

We have the honour to be

Your Lordships' most obedient servants,
(Signed) C. W. FREMANTLE.
W. H. HOULDSWORTH.
C. RIVERS WILSON.
B. W. CURRIE.
ALFRED DE ROTHSCHILD.

H. BABINGTON SMITH,
Secretary to the Delegates.

February 3rd, 1893.

In signing the foregoing Report I wish to say that I am more sanguine than my colleagues of an international agreement being ultimately arrived at, though I recognise the difficulties which at present stand in the way.

(Signed) W. H. HOULDSWORTH.

PROCEEDINGS
OF THE
INTERNATIONAL MONETARY CONFERENCE,
1892.

NOTE.—The Proceedings of the Conference are translated from the Official *Procès-verbaux*, which were formally approved by the Conference.

It is announced that a second volume will be published at a later date, containing statistical information furnished by the Delegates of various Countries as to the production, coinage, and industrial consumption of Gold and Silver.

LIST OF DELEGATES.

AUSTRIA-HUNGARY.

Representing the two Governments of Austria and Hungary :—

HIS EXCELLENCY COUNT KHEVENHÜLLER METSCH, Envoy Extraordinary and Minister Plenipotentiary of Austria-Hungary at Brussels.

BELGIUM.

MR. MONTEFIORE LEVI, Senator.

MR. DEVOLDER, Director of the Society for Promoting National Industry.

MR. WEBER, Vice-Governor of the National Bank.

MR. A. ALLARD, Honorary Director of Coinage.

MR. SAINCTELETTE, Commissary of the Mint.

DENMARK.

MR. C. F. TIETGEN, Privy Councillor, Director of the *Privat Bank* at Copenhagen.

MR. FRÉDÉRIC G. SCHACK DE BROCKDORFF, Consul General of Denmark at Antwerp.

FRANCE.

MR. TIRARD, Senator, formerly Minister of Finance, President of the Monetary Committee.

MR. DE LIRON D'AIOLES, Member of the Council of State on Special Service, Director of the Administration of the Mint.

MR. DE FOVILLE, Head of the Department of Statistics and Legislation at the Ministry of Finance.

GERMANY.

HIS EXCELLENCY COUNT ALVENSLEBEN, Envoy Extraordinary and Minister Plenipotentiary of Germany at Brussels.

DOCTOR VON GLASENAPP, Councillor to the Finance Department of the Empire, Privy Councillor of Administration.

MR. HARTUNG, Director of the Imperial Bank.

GREAT BRITAIN.

THE HONOURABLE SIR CHARLES FREMANTLE, K.C.B., Deputy Master of the Mint.

SIR C. RIVERS WILSON, K.C.M.G., Secretary and Comptroller General of the National Debt Office.

SIR WILLIAM HOULDSWORTH, Bart., M.P.

MR. ALFRED DE ROTHSCHILD.

MR. BERTRAM CURRIE.

BRITISH INDIA.

LIEUTENANT-GENERAL STRACHEY.

SIR GUILFORD L. MOLESWORTH, K.C.I.E.

GREECE.

MR. P. MULLE, Consul General of Greece at Brussels.

ITALY.

HIS EXCELLENCY BARÓN DE RENZIS, Envoy Extraordinary and Minister Plenipotentiary of Italy at Brussels.
MR. SIMONELLI, Deputy.
MR. ZEPPA, Deputy.

MEXICO.

DON ANTONIO DE MIER Y CELIS.
DON JOAQUIN D. CASASUS, Deputy.
GENERAL DON FRANCISCO Z. MENA.

NETHERLANDS.

MR. VAN DEN BERG, President of the Bank of the Netherlands.
MR. BOISSEVAIN, Member of the Statistical Institute of the Netherlands.

NORWAY.

MR. HAGBARD BERNER, Director of the Mortgage Bank of the Kingdom of Norway.

PORTUGAL.

HIS EXCELLENCY MR. D'ANTAS, Envoy Extraordinary and Minister Plenipotentiary of Portugal at Brussels.

ROUMANIA.

HIS EXCELLENCY MR. BENGESCO, Envoy Extraordinary and Minister Plenipotentiary of Roumania at Brussels.

RUSSIA.

HIS EXCELLENCY PRINCE OURCUSOFF, Envoy Extraordinary and Minister Plenipotentiary of Russia at Brussels.
MR. A. RAFFALOVICH, Member of the Council of State, Agent for the Imperial Ministry of Finance at Paris, Correspondent of the Institute of France.

SWEDEN.

MR. HANS FORSELL, formerly Minister of Finance, President of the Chamber of Finance of Sweden.

SPAIN.

HIS EXCELLENCY MR. J. SURRA Y RULL, Member of the Consultative Committee of the Mint at Madrid, formerly Member of the Council of State.
MR. J. SANCHEZ DE TOCA, Member of the Chamber of Representatives; formerly Chief Secretary of the Ministry of the Interior.
MR. G. J. DE OSMÁ, Member of the Chamber of Representatives.

SWITZERLAND.

HIS EXCELLENCY MR. CHARLES LARDY, Envoy Extraordinary and Minister Plenipotentiary of the Swiss Confederation at Paris.
MR. ALPHONSE RIVIER, Consul General of the Swiss Confederation in Belgium.
MR. CONRAD CRAMER-FREY, Member of the National Council.

TURKEY.

HIS EXCELLENCY ÉTIENNE CARATHEODORY EFFENDI, Envoy Extraordinary and Minister Plenipotentiary of Turkey at Brussels.
MR. A. ALLARD, Consul General of Turkey at Brussels.

UNITED STATES OF AMERICA.

HIS EXCELLENCY MR. EDWIN H. TERRELL, Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Brussels.

MR. WILLIAM B. ALLISON, Senator.

MR. JOHN P. JONES, Senator.

MR. JAMES B. MCCREARY, Member of Congress.

MR. HENRY W. CANNON, President of the Chase National Bank at New York.

MR. E. BENJAMIN ANDREWS, President of the Brown University at Providence.

OFFICERS OF THE CONFERENCE.

President: MR. MONTEFIORE LEVI, Delegate of Belgium.

Vice-President: HIS EXCELLENCY MR. EDWIN H. TERRELL, Delegate of the United States of America.

General Secretary: MR. GEORGES DE LAVELEYE, Economist.

Secretaries: MR. JULES BRUNET, Head of Department at the Ministry of Foreign Affairs.

MR. ROLAND P. FALKNER, Professor at the University of Pennsylvania.

MR. ÉDOUARD VAN DER SMISSEN, Lecturer at the University of Liège.

Assistant Secretaries: MR. GEORGES BAEYENS, Doctor of Law.

MR. LIÉPOLD DONNY, Honorary Secretary of Legation to His Majesty the King of the Belgians.

COUNT JACQUES DE LIEDEKERKE, attached to the Ministry of Finance.

INTERNATIONAL MONETARY CONFERENCE, 1892.

FIRST SESSION.

Tuesday, November 22nd, 1892.

The Delegates of Germany, Austria-Hungary, Belgium, Denmark, Spain, the United States of America, France, Great Britain, British India, Greece, Italy, Mexico, Norway, the Netherlands, Portugal, Roumania, Russia, Sweden, Switzerland, and Turkey, met in Conference at Brussels on November 22nd, 1892, at 2 o'clock, at the *Palais des Académies*.

All the Delegates were present.

MR. BEERNAERT, *Minister of Finance*, delivered the following address:—

GENTLEMEN,

THE Conference in which you are called upon to take part has for its object the consideration of one of the most serious, complex, and arduous problems which is presented to modern society, a problem peculiarly fertile in unforeseen and oftentimes contradictory conclusions. I highly appreciate the honour which has fallen to me to inaugurate your labours in extending to you, in the name of the Belgian Government, a cordial welcome.

Speech of
Mr. Beer-
naert,
Minister of
Finance.

As you are aware, gentlemen, it was the United States of America which brought about this meeting. We are only your hosts, but we are happy to be so. Small as may be the space which Belgium occupies upon the map of the world, she endeavours properly to hold her place in the family of nations, and does not withhold her interest from any of the difficulties which civilisation in its incessant progress is called upon to resolve. It is perhaps this which has given Belgium the honour of being chosen on several occasions as the seat of international meetings for the common study of the amelioration of law or for the perfecting of economic measures. Among the subjects of study none up to this time has had the importance and breadth of that which forms the subject of your considerations.

It is strange that the subject of money, of itself abstract and dry, is among those which most excite the passions. It is rare to find it discussed calmly. But it touches all economic and social interests; it affects the commerce of the world; and it is the real reason of more than one unexplained crisis.

And the importance of money, especially metallic money, cannot but grow greater. The mechanism of exchange is perfected, and the use of cheques and other instruments of credit is developed. They economise the actual transfer of money and so diminish the risks, costs, and delays which result from it, but they cannot supplant the precious metals.

A century ago, or even half a century, international exchanges had for their objects almost exclusively food, raw materials or manufactures, and at that time the insufficiency of the means of transport at the disposal of foreign commerce retarded the development of these exchanges. The need of money for use abroad was determined solely by the balance of trade. It was measured by the amount of capital which had to pass in specie from one country to another to settle the balance of exchanges. Favourable or otherwise, it was this balance only which affected the stock of metals, and its influence alone was felt in the rate of exchange. Hence there was based upon the balance of trade a theory which claimed to measure by this scale the relative prosperity of nations.

That theory has had its day, and the part played by money as the instrument of international exchanges has grown remarkably. To-day nations import and export not alone commodities, but also capital in search of opportunities for investment, stocks, bonds, public debts, and industrial securities, and the amount increases year by year in colossal proportions. The monetary currents are not determined solely by the balance of trade properly so-called. A country whose exports present a surplus often has contrary and very variable exchanges and may not be able to secure a permanent stock of metallic money. Another country enjoys exchanges which are almost stereotyped, and whose stability defies the variations of the balance of trade.

Other factors besides the operations of commerce intervene; and when we find a rise in the rate of exchange, we cannot say, *à priori*, whether it is caused by a negative balance of trade, by withdrawal of frightened capital or by purchases of securities which must be paid for abroad, but which bear interest to the new purchaser.

These currents of capital are always in a certain measure metallic currents. The decreased cost of carriage and the more highly developed spirit of association which permits the formation of companies for enterprises in remote countries, only increase these currents. And thus, while it has changed, the international function of money has greatly increased.

At the same time the evil results of every monetary crisis are more and more acute, and it is, it seems, to an international agreement that we must look for the means of preventing them or moderating them.

It is the law of progress which decrees this. As I said recently upon another occasion, "that which will characterise our century in the future, a century strange and magnificent in many respects, is the prodigious and incessant development of international relations."

"At one time a man belonged to his own village, to his own province, or at the most to his country. People knew only their own neighbourhood. They shared its prejudices and its passions. The foreigner was to them an object of indifference or even hostility. To-day the horizon of humanity is enlarged. A great movement spreads life and welfare on all sides, nations know each other better every day, and the world is hardly large enough for the sphere of our activities."

Hence the numerous international agreements to regulate in a uniform fashion interests common to the civilised world. Conventions of almost universal application regulate telegraphs, postal affairs, railways, the system of weights and measures, the publication of customs tariffs, patents, and copyright. Efforts of the same nature have been made to unify commercial law in some of its essential elements.

Why should it not be the same with money, an instrument which is international *par excellence*, and which is the most indispensable of all?

This is, gentlemen, one of the aspects of the study to which you are about to devote yourselves; and perhaps it is well that you should meet in the territory of one of the nations constituting the Latin Union.

That Union is for the participating nations an international regulation of the kind which it is proposed to generalise; and in the opinions of its authors, who claimed for it a great future, it was destined to serve as a basis and an example.

For some years external circumstances have weighed heavily upon the situation of the Union. In consequence of the adoption of the gold standard by Germany it was necessary to suspend the coinage of silver, and we are in reality under a mono-metallic *régime*. Without doubt the coined metals have preserved an invariable relation in value, circulate as full legal tender throughout the Union, and serve on an equal footing for making payments. But in reality gold is the only standard, prices are based on gold, and transactions with other countries are settled by gold payments either from the large circulation of the Union or from purchases abroad, without up to the present time affecting exchange in the slightest. Despite the depreciation of silver bullion the five-franc pieces preserve their full debt-paying power; but it is because they are in a manner only tokens, always exchangeable for gold at par, and because, for the settlement of our sales and purchases abroad, we use nothing but gold.

But even under these conditions the Latin Union renders none the less incontestible services. We owe to it a high stability of exchange and the absence of any embarrassment in our monetary circulation. I believe that I may add that these services extend beyond the limits of the Union, and that the latter would not disappear without a very considerable disturbance of the general monetary situation.

It is to be desired, gentlemen, that the Conventions of the Latin Union may serve as a basis for a broader arrangement. Those who in this manner succeed in finding a

remedy for the difficulties and the perils of the present situation will certainly deserve well of humanity. But it is for the United States to speak first. It is for them to make known the views of their Government, and to propose such measures as they may deem possible and opportune to adopt.

Before resuming my seat, permit me, gentlemen, to call special attention to one of the aspects of the problem whose examination we are about to begin. The depreciation of silver for some years past seemed to come from an exuberant production, far exceeding the recognised needs for coinage and industrial and artistic consumption. And yet, while, according to Soetbeer and other statisticians, the increase in the production of silver from 1875 to 1890 was not more than 100 million francs, other calculations tend to prove that at least since 1890 there have been increased needs, permitting the complete absorption of all the current production of the white metal. A distinguished author, indeed, claims that this situation began in 1887, and affirms that since that time the phenomenon has become more marked.

It seems that this is an important matter to verify, and the co-ordination of the information at the disposition of the Conference will without doubt enable it to throw some light upon this side of the question.

It will be well to consider from this point of view the stocks of silver which certain countries might be led to alienate, in order to pass to a single gold standard. There are five-franc pieces to the amount of 4,000 million francs in the Latin Union, and for a great part this enormous sum is stored in the banks and represented by credit money. But in the present situation of affairs the dissolution of the Union does not seem probable, though it may take place at a year's notice. At the Congress of 1889 at Paris, Mr. Magnin said that such an event would be "a terrible monetary and commercial catastrophe for the whole world."

We may also, I think, neglect the 2,500 million francs in silver, in the possession of the United States. It is for the greater part deposited in the Treasury of the Republic, and represented by certificates in virtue of the Bland and Sherman Bills. That silver and those certificates form a part of the Federal currency and serve the purposes of internal exchanges. As to the 450 millions, or thereabouts, of francs in thalers which Germany has kept, without effecting their sale during the period of the transformation of her monetary system, and the 200 millions of francs, at which the silver money of Austria-Hungary is valued, it does not appear that these sums exceed the needs of the internal circulation of these great countries, even as small change, and without doubt the realisation of these stocks is in no wise to be feared.

I think, gentlemen, that if the question of which you are about to undertake the study is difficult, you may at least begin the examination without being too much impressed by the contemplation of masses of unused silver, under the weight of which the market must shortly crushed.

To this study I should have been glad to have devoted myself with you. There is none more important nor more attractive. But numerous and absorbing duties do not leave me the leisure. In leaving the chair, it only remains for me to bid you welcome once more, and to express my sincere hope that the deliberations of such eminent men, the delegates of twenty States, and, among them, of the most important of the world, will be fruitful in fortunate results for the general advantage of mankind.

I beg the assembly to constitute itself by choosing a President.

MR. TERRELL, MINISTER OF THE UNITED STATES OF AMERICA, replying to the address of welcome of the Minister of Finance, spoke as follows:—

GENTLEMEN,

As the diplomatic representative at Brussels of the Government which has taken the initiative in this Conference, I fulfil a most agreeable mission in offering to his Excellency the Minister of Finance the sincere thanks of all the delegates united in this high assembly for the warm and cordial welcome which he has given to us.

Thanks to the generous hospitality and liberal spirit of the Government of His Majesty the King of the Belgians, this beautiful capital has been chosen as the seat of this international meeting.

I believe that I speak for you, gentlemen, in thanking once more his Excellency for this new proof of sympathetic interest which his Government has thus given to a work of so considerable importance for all peoples.

We would ask also the Minister to offer to the august Sovereign of this noble country the expressions of our most respectful homage.

FIRST
SESSION.

Mr.
Beernaert.

Mr.
Terrell.

FIRST
SESSION.
—
Mr.
Terrell.

The work which has been submitted to our examination and deliberation interests the commercial world in the highest degree, and it is desirable to arrive at an agreement whose results may advance the welfare and the prosperity of nations.

We express the most sincere wish that this purpose may be attained, and we may be permitted to express the hope that our labours may be presided over by a member of the Delegation of the Belgian Government, that Government whose courteous reception will remain a treasured pledge of noble friendship.

Election of
President.

MR. DEVOLDER thanked Mr. Terrell in the name of the Belgian Delegation, and recommended to the Conference to select MR. MONTEFIORE LEVI.

Mr.
Montefiore
Levi.

This proposal having been accepted by the Conference, MR. MONTEFIORE LEVI took the Presidential chair, and made the following speech:—

GENTLEMEN,

Having been called to the great honour of presiding over your deliberations, I feel the need of offering an apology of some sort for having been chosen to occupy the chair, since I am almost a layman among the many eminent men who compose this assembly, and who should naturally have received its vote on account of their special knowledge of the grave problems that have been submitted to our consideration. I do not make the mistake of thinking that this flattering distinction is addressed to me personally; you have only wished through me to pay this honour to Belgium, which is delighted and proud to have been selected as the meeting-place of this Conference, and to offer its hospitality to an assemblage of persons so distinguished. In the name of Belgium, I thank you.

As for myself, personally, the feeling of my inability strikes me the more forcibly when I call to remembrance the two great men whom our country has had the misfortune of losing recently, and to whom by right would have belonged the signal honour that you have conferred upon me;—Eudore Pirmez, who took such a conspicuous part in the last Monetary Conference as a delegate of the Belgian Government, and Émile de Laveleye, the renowned economist, whose works upon the great social questions are recognised throughout the world as authoritative,—both of them men who were universally known for their thorough study of the monetary question, and who by their great ability would have added distinction to the high position to which, for want of them, I am embarrassed to find myself called.

Gentlemen, the International Monetary Conference convened in 1881 by France and the United States had in view, according to the very words of its President, the object of “submitting to the acceptance of the Governments there represented a plan “and system for establishing, by means of an International Convention, the use of gold “and silver as bi-metallic money.”

That programme offers some analogy to that which has been proposed as a starting point for the present Conference. It was more precise as to the result sought; but it was for that very reason less fitted to lead to an agreement, or to bring about an understanding. I need not recall to you that after having held thirteen sessions taken up with profound discussions, after having had most interesting documents presented to it by the Delegates of the different Powers, that former Conference adjourned on the 8th July 1881 to the month of April 1882, and that it has not since resumed its labours.

This relative failure—although the meeting had, at least, the valuable result of bringing to light a quantity of data of the highest interest—only gave a new impetus to the efforts to find a solution, a result that circumstances rendered more and more to be desired every day. The monetary problem occupied in the public mind an even larger place than it did in the times succeeding the first International Conference of 1867, and numerous attempts were made to elucidate it.

Among the many remarkable works that were produced during that period, I would cite the Report of the *Gold and Silver Commission* appointed by the English Government in 1886, which is distinguished by the eminently practical character of its discussions.

A new effort to arrive at a formula was attempted in 1889. France then took advantage of the occasion that its great Universal Exhibition offered, and organised a Monetary Conference at Paris, in whose proceedings several of the eminent gentlemen who are with us to-day took part. If on account of the limited number of the members directly delegated by their Governments this Congress could not have the importance and more especially the authority of the preceding Monetary Conferences, its rôle was none the less useful. Its discussions have furnished a valuable aid to the

study of these arduous questions, though unfortunately without having appreciably neared a conclusion, and without having discovered a solution acceptable to all.

Since then the situation of the money market has only grown worse. In spite of the efforts to avert it, made principally by the United States, the fall of silver bullion has been more marked in consequence of the development of mining in the United States and Mexico, and of the great Australian production. It is true that the quantity of gold has been very largely increased by the great contribution furnished by South Africa; but it is none the less true to affirm that the difficulty of commercial relations between the gold mono-metallist countries and those whose circulation is based upon silver becomes greater from day to day. This state of affairs receives continually increasing attention from the public, not only because the knowledge of the questions has spread, but also above all by reason of the connexion that exists between the problem of the currency and other social problems, that appear to have only a distant relation with the former, as witness the question of wages.

Indeed, if the quantity of primary products that can be procured by means of a definite quantity of money undergoes a constant diminution, in other words, if these products grow dearer, the rate of wages by means of which the masses procure the indispensable means of subsistence does not increase in proportion. It is often not until after a more or less prolonged delay that the effect of the rise in price of the necessaries of life forces a rise in the price of manual labour, after a period of distress and suffering for those who gain from their labour alone their means of subsistence.

Thus the depreciation of silver, so far as it serves as a monetary standard, finds an echo throughout the whole social organism.

But the principal evil of the present situation lies in the instability that results from it. How would it be possible for the merchant or the manufacturer to make with safety contracts extending over a long period, as important business operations generally do, if the shrewdest judgments and the best-founded calculations may at any moment be upset by a sudden movement of the money market? There is no need, we believe, to look elsewhere for the cause of the noticeable falling off which has taken place in international transactions. The hesitation which checks all great enterprises and which paralyses many markets is the direct consequence of the instability in the price of silver as compared with gold.

Conscious of these difficulties, the Government of the United States has taken the initiative in inviting the principal Powers to send Delegates to a new International Conference, for the purpose of investigating together whether there be any means of mitigating, by a more general use of silver in the monetary circulation, the serious inconveniences from which all civilised nations suffer in various degrees. Impressed by the gravity of the situation all of the Governments hastened to accept the invitation which was sent to them, and we are now met together, gentlemen, to commence the investigation of this arduous problem.

Whatever may be the result of your deliberations, it may surely be affirmed that, convinced of the considerable influence which the solution of a question so complex as that submitted to you may have upon progress of universal civilisation, you will have it at heart to investigate the possibility of remedying a condition of affairs of which none mistake the gravity. You will endeavour to leave aside any consideration of narrow or egotistical interest, and to place yourselves upon the standpoint of the higher interests of the great human family; and, should the possibility of a remedy be recognised, you will desire to unite your efforts to give substance to the solutions resulting from your debates by the adoption of a scheme stated in practical form.

Gentlemen, your time is precious. The task which you are about to undertake is immense, and I would give an example of brevity in closing here the brief review which I thought it my duty to present.

I conclude by expressing my gratitude to you for the honour, great as it is unmerited, which you have done me in choosing me to preside over the Conference, and by assuring you that my constant aim will be to apply myself to conduct your labours in a path of usefulness and with complete impartiality, in the certainty that I can count upon your kindly co-operation, without which I should be powerless.

The PRESIDENT requested the delegates to name as Vice-President one of the Delegates of the United States, whose Government had taken the initiative in calling the Conference. Upon his motion the Vice-Presidency was given to MR. TERRELL, Minister of the United States of America at Brussels.

FIRST
SESSION.

Mr.
Montefiore
Levi.

Election
of Vice-
President.

The PRESIDENT proposed to the Conference to confer the functions of General Secretary upon MR. GEORGES DE LAVELEYE, Economist, who took his place at the desk.

Appoint-
ment of
Secretaries.

FIRST
SESSION.
—
Appoint-
ment of
Secretaries.

He proposed also to name as Secretaries MR. JULES BRUNET, Head of Department in the Ministry of Foreign Affairs, MR. ROLAND P. FALKNER, Professor at the University of Pennsylvania, and MR. ÉDOUARD VAN DER SMISSEN, Lecturer at the University of Liège; and as Assistant Secretaries, MR. GEORGES BAUYENS, Doctor of Law, MR. LÉOPOLD DONNY, Honorary Secretary of Legation of His Majesty the King of the Belgians, and COUNT JACQUES DE LIEDEKERKE, attached to the Ministry of Finance. These suggestions having been adopted by the Conference, these gentlemen were introduced and took their places at the Secretaries' table.

Arrange-
ments for
Reporting.

Upon the motion of the PRESIDENT the Conference decided to employ shorthand writers, who should be under the direction of the Secretary; it was understood, however, that the stenographic reports should be confidential, and that the Minutes adopted by the Conference should form the sole official record of its deliberations.

This service was assigned to shorthand writers placed at the disposal of the Conference by the Belgian Government, and to the shorthand writer attached especially to the Delegation of the United States.

It was agreed further that the Secretary should endeavour to distribute the Minutes before the Session immediately following that to which they relate; and that suggestions arising out of the minutes should be presented at the beginning of each session if they relate to questions of principle, whereas purely formal suggestions should, if occasion arose, be communicated as soon as possible directly to the Secretary.

Days of
meeting.

The PRESIDENT proposed that the Conference should sit three times a week, on Tuesday, Thursday, and Saturday, at 2 p.m.

After an exchange of observations between SIR C. RIVERS WILSON, MESSRS. ALLARD, RAFFALOVICH, and ALLISON, the Conference decided to hold its meetings upon the days proposed by the President, reserving however the right to hold supplementary sessions in the intervening days should circumstances render it desirable.

MR. ALLISON (*Delegate of the United States*) asked that the second session, be held on Friday, the 25th of November. The Delegates of the United States desired to consult together in order to present at that time the proposals which they desired to submit to the Conference.

Proposed
Committees.

The PRESIDENT expressed the opinion that it would be useful, if the Conference wished to gain time, to constitute several Special Committees. One of them should have for its object to examine documents which might be addressed to the Conference, and to present reports upon them. Another Committee should be charged with the arrangement of statistics relating to the production and consumption of gold and silver.

After a number of observations by MESSRS. LARDY, RAFFALOVICH, BOISSEVAIN, SAINTELETTE, and COUNT KHEVENHÜLLER METSCH, the motion of the President for the appointment of a Committee of Examination was put to the vote. It was not adopted.

As to the other Committee which it was proposed to name, MR. DEVOLDER (*Delegate of Belgium*) asked if the examination of the proposal of the President should not be postponed until the Conference knew the programme of the United States. They would then be better able to judge what were the points requiring special investigation, for the examination of which the appointment of Committees might be useful.

The PRESIDENT agreed to this suggestion.

Manner of
voting.

CARATHEODORY EFFENDI remarked, in regard to the vote which had been given, that certain countries had several Delegates and others only one; he asked if under these conditions the votes should be counted by countries or by Delegates.

The PRESIDENT was of the opinion, in which the Conference concurred, that in questions touching merely their proceedings, as was the case with those which had been just considered, each Delegate should have a vote without regard to the number of members of which the Delegations were composed.

The Session adjourned at half-past 3 o'clock.

SECOND SESSION.

Friday, November 25th, 1892.

MR. MONTEFIORE LEVI, President, in the Chair.

ALL the Delegates were present, with the exception of Mr. DE BROCKDORFF, Delegate of Denmark.

The session was opened at 2 o'clock.

The minutes of the first meeting were approved.

CARATHÉODORY EFFENDI (*Delegate of Turkey*) remarked that, according to the opinion expressed at the close of the last session by the President, votes were to be individual in certain cases, while in others they were to be given by States. Effect of votes.

There were without doubt Delegates who had very extensive powers, but there were perhaps others who were not in this position.

So far as the Ottoman Delegation was concerned, all votes given should be considered absolutely individual.

The Delegate from Turkey said that if it was a question of a proposal emanating from a Government which was to be taken into consideration, supported, discussed, or submitted to a vote, and if it was a question of giving the opinion of the different Governments, he should for his part be obliged to refer the matter to his Government.

The PRESIDENT noted the declaration of the Delegate from Turkey. If there was a vote going beyond personal engagements, that is, a vote which did not concern the proceedings of the Conference, many other Delegates would be obliged to make the same reservations; it would, for instance, be the case for the Delegates of Belgium in any occasion where a decision was to be taken which would bind the Governments.

Upon the motion of the PRESIDENT, it was decided that the officers or secretaries officially attached by their Governments to a Delegation, and no other persons, should be admitted into the meetings of the Conference, to follow the debates without taking part in them. Admission to the meetings.

The PRESIDENT desired to know the wishes of the Conference in regard to communications to the press. Should the secrecy of their meetings be preserved, or should both the Minutes and also other materials for discussion communicated to the Delegates be published? In view of the character of the Conference would it be suitable that these documents should be given to the public even before their discussion? The Officers would desire to receive instructions by a formal decision of the Conference in this matter. Publication of proceedings.

MR. RAFFALOVICH (*Delegate of Russia*) thought that the object of the Conference was of such general interest that it would be inconvenient to impose secrecy, specially as certain of the questions to be treated were of particular interest to the financial markets.

MR. SANCHEZ DE TOCA (*Delegate of Spain*) shared this opinion. He thought, however, it would be proper to observe the greatest reserve in regard to the debates of a session until after the approval of the Minutes.

COUNT KHEVENHÜLLER METSCH (*Delegate of Austria-Hungary*) considered that there would be no difficulty in following the lines suggested by Mr. Raffalovich. He expressed himself in favour of having the Minutes placed at the disposal of the press as soon as they had been adopted.

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The PRESIDENT put to the vote the motion to distribute the duly approved Minutes, and, consequently, the subsidiary documents. This proposal was adopted.

Documents
commu-
nicated.

The PRESIDENT laid upon the table a memorandum by Mr. DONNER, Consul-General of Belgium at Salonica, relative to the monetary question. The document had been transmitted to him by the Belgian Government.

MR. ALLARD (*Delegate of Belgium*) laid upon the table a copy of a pamphlet which he had published giving a graphical *résumé* of facts relating to the monetary crisis, and the fall of prices from 1850 to 1892. Copies had been sent to each Delegate.

MR. HARTUNG (*Delegate of Germany*) made in this connexion the following declaration:—

On the third table of the work which our honourable colleague, MR. ALLARD, has had the kindness to send us, I find this remark concerning the attitude in 1888 of the Reichsbank, "the Reichsbank refuses to pay currently in gold."

Without calling attention to any other remarks which relate to Germany, I do not think that I am lacking in respect to our eminent colleague if I take this opportunity of refuting this statement, which has no basis whatever in fact. Since its creation in 1876, the Reichsbank has never refused to redeem its notes in gold.

I am well aware that not only certain obscure journals, but even some authors of distinction have called attention to the supposed fact that the Reichsbank makes difficulties for those who ask for gold for export. It is for this reason that I think it my duty to declare categorically that the Reichsbank has never refused upon any occasion or under any pretext the redemption of its notes in gold. I simply wish to note this important fact.

MR. ALLARD expressed himself pleased at having called forth this declaration of the Delegate from Germany. If he had made that statement in his work it was because the fact had been repeated in all corners of the press.

The PRESIDENT proposed to the assembly to take up the order of the day.

Speech by
Mr. Allison,
presenting
the pro-
gramme of
the United
States Dele-
gation.

MR. ALLISON (*Delegate of the United States*) delivered in English a speech of which the following is the substance:—

MR. PRESIDENT AND GENTLEMEN OF THE CONFERENCE,

On behalf of the Delegates of the United States I have been requested formally to present the plan and programme which is already upon your desks.* In so doing it seems fit that I should explain in brief some of the reasons which have led the President of the United States to convene this Conference, and to give the reasons why the Delegates of the United States present their programme in its present form and terms. But before doing so I desire to repeat the expression already made of our thanks to His Majesty the King of the Belgians for the cordial reception which has been given to the Conference. Especially I desire to thank the Governments represented for their acceptance of the invitation of the President of the United States and their presence in this Conference. The Delegation of the United States highly appreciate and wish to express their pleasure in meeting in conference the eminent gentlemen who represent these Governments.

It is possible some of those present will regard our programme as too general in its terms, in that it does not consist of specific propositions looking to the enlargement of the use of silver, as suggested in the invitation of the President, except the proposition of bi-metallism put forward by us as our distinct proposition having the full approval of our Government and the people it represents. There are precedents to which I would call your attention for Conferences on this subject. It was deemed of sufficient importance in 1867 for the nations to unite in conference, upon the invitation of France, to discuss simply the unification of coinage throughout the world to promote commerce and facilitate exchanges. In accordance with a statute of the United States the President called in 1878 a Conference to consider the practicability of fixing a common ratio to secure parity of value between gold and silver. In that Conference it was declared, upon motion of England and France, "that it is necessary to maintain in the world the monetary functions of silver as well as those of gold." France and the United States invited in 1881 a Convention to discuss this subject which adjourned

* See Appendix A. to the Minutes of the present Session.

without definite action. Eleven years have since passed and the President of the United States has invited the nations to this Conference in the hope that a method may be agreed upon to secure the enlarged use of silver, if not its full use.

In so doing he has acted upon the opinion of the people of the United States, who believe it to be practicable to freely use both metals for monetary purposes, and thus to establish a parity of value between them. The two principal political parties of the United States are not divided upon this question, and the Delegates to this Conference represent not only the party which is now in power, but also that which has been restored to power by the recent election of Mr. Cleveland to the Presidency. Our view as respects this question is held with singular unanimity by all the people of the United States, as one for promoting the common interest of all the nations. We desire to confer with you cordially and frankly upon measures adapted to promote the interests of all, without seeking any special advantages for the United States. Our recent census shows the total value of the products of our agriculture, of our forests, of our mines and of our industries, to have been in 1890 thirteen thousand million of dollars. The external commerce of the United States is increasing year by year and was in the last fiscal year larger than ever before. It is our interest to extend this production and to enlarge this commerce. Compared with these large values the product of silver mining in the United States, which amounts in round numbers annually to \$50,000,000, is, as you will see, not a large factor. But its monetary use affects, we believe, all these products, all values and all exchanges of them. I should be glad to emphasise the fact that our interest in this matter grows out of our production and the commerce which follows from it. Even if our mines should cease to produce silver, our interest in the question which we share in common with the commercial world would be no less urgent.

Geographically, the position of the United States is midway between nations which use exclusively gold and those whose monetary circulation rests upon silver alone.

Our country in its currency and in all its money rests upon the gold standard. Our statutes declare that it is the settled purpose and policy of the United States to maintain silver and gold in circulation at par with each other, and there is no currency in circulation in the United States, whether it be paper or silver, that is not convertible into gold at the will of the holder. The United States in its legislation and in its policy has aided to sustain silver in the currency of the world, and it is because of the desire of our people for an increased monetary use of silver that our President, supported by both Houses of Congress, has proposed this Conference.

It would have been difficult for the Delegates of the United States to prepare a proposition for an enlarged use of silver among the nations, limited as to coinage and use, which could be answered by yes or no. We have therefore stated our view, but have admitted to your consideration also a plan of Mr. Moritz Levy, a Delegate to a former Conference, and the plan of the late distinguished Dr. Soetbeer, whose recent death is lamented by all of us. Other plans, such as that officially presented by Italy to the Powers some years ago, might have been inserted. We believe, however, that the Governments, here represented, or their Delegates, should be free to present plans which they may have developed, and which they may be desirous of placing before the Conference. The political policy of the States of Europe was not sufficiently familiar to us as regards their autonomy and methods for us to formulate a definite project necessarily so complex in its nature. We have limited ourselves, therefore, to giving in detail simply the proposal favoured by the United States. It is now with the Conference to determine, through its deliberations, whether a method can be found to realise the intention of the Conference, or whether the solution of this grave question shall be again postponed.

We have embodied in our statement a resolution which to us seems preliminary to any discussion on the enlarged use of silver, and I beg leave to offer the resolution which follows :—

“That in the opinion of this Conference it is desirable that some measures should be found for increasing the use of silver in the currency systems of the nations.”

Resolution proposed.

MR. RAFFALOVICH (*Delegate of Russia*) gave on the spur of the moment at comprehensive and precise *résumé* in French of the speech of Mr. Allison, and embraced the opportunity which was thus offered to pay a tribute to the memory of the late Mr Soetbeer.

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The PRESIDENT thanked Mr. Raffa'ovich and complimented him upon the remarkable manner in which he had performed this voluntary duty.

Discussion
on Mr. Alli-
son's resolu-
tion.

The PRESIDENT declared the discussion open upon the preliminary resolution, the terms of which had been stated by the Delegate of the United States.

Declaration
by Sir
Rivers Wil-
son.

SIR RIVERS WILSON, in the name of the Delegates of Great Britain, made the following declaration:—

GENTLEMEN,

Speaking at the present moment for all of my colleagues, I have to say that we accept the resolution of the Delegates of the United States as it stands, adding only this reservation, and this explanation, that we consider it as being in fact a recapitulation of the substance of the invitation which has been addressed to the different Governments and which has been accepted by them.

We are here to examine measures which may be taken to increase the circulation of silver. We have no need therefore to discuss what I may call the abstract resolution which has been presented to us, and for that reason, in order that the Conference may not be led into error in regard to our intentions, we declare that we approve and accept the resolution now before us, reserving for a later time our observations upon the plan which may be submitted to us.

With these explanations we give an affirmative vote.

Mr. de
Rothschild
hands in a
proposal.

MR. DE ROTHSCHILD (*Delegate of Great Britain*) laid upon the table a plan which he desired to see submitted to the examination of the Conference.*

Declaration
by Mr.
Tirard
(*France*).

MR. TIRARD (*Delegate of France*) spoke as follows:—

GENTLEMEN,

There is no need for me to tell you that France is one of the countries most interested in the monetary question. I am therefore charged by my Government to thank the Government of the United States of America for the initiative which it has taken in calling together a new Conference. I am charged equally to thank the Belgian Government for the hospitality which it has so kindly accorded us, and of which we have already been able to appreciate the courtesy, cordiality, and generosity.

As I have just said, gentlemen, France is much interested in the monetary question. It is not that her soil contains, as does that of the United States, important mineral riches. She has none, or so little that it is hardly worth mentioning; but she has a very considerable metallic stock. In the course of nearly a century, that is since 1795, she has coined in gold and silver together a sum hardly less than 14,500 millions of francs, or 8,800 millions in gold, and 5,500 millions in silver. This large quantity of money obviously no longer exists within our territory. From the researches and investigations which have been made by my honourable and learned colleague, Mr. de Foville, who will communicate them to you if you desire it, it appears that a great part of this money, especially of the silver money, has disappeared; but this disappearance has been compensated in part by the great quantity of silver money which has entered into the French circulation and into the State Treasury, since the time when France formed with four other nations the association known as the Latin Union.

From all these causes France has one of the largest holdings of the white metal, and in consequence she is very much interested—I cannot repeat it too often—in the question which is submitted to you at this moment.

But this enormous quantity of silver which France already owns imposes upon her the greatest prudence, and she will not accept any proposal except upon the condition that that stock of depreciated metal should not be increased, or supposing that it were increased, that it should not be without very serious compensations.

I confess, gentlemen, if our honourable colleagues from the United States will permit me to say it—and I only speak for myself personally—I confess that I felt something like disappointment in reading the declaration which was placed before us at the beginning of this meeting. I had expected—I speak always for myself only—somewhat more formal proposals.

I may even say that there is something which at first at least seems slightly contradictory. The proposal of the United States, which is favoured by the Delegates

* See Appendix B. to the Minutes of the present Session.

of the United States, is that which they place last in the document which has been distributed, and—this is what I cannot quite understand—it is subordinated to other proposals which are produced first, but which are not in reality other than subsidiary to their final proposal.

Instead, therefore, of proceeding to the principal question, which is fundamental and embraces everything, we are asked to commence by examining that which ordinarily follows after it has been found impossible to adopt the main proposal. There is, it is true, a new project which Mr. de Rothschild has just submitted; but, besides that, we are asked to discuss subsidiary proposals which have already been previously put forward, and which are now presented again to the Conference.

That is, I cannot but repeat it, a proceeding which seems to me unusual. However, the Delegates of the French Government have no intention of hindering the labours of the Conference by raising questions of procedure; and, with due regard to the observations which I have just made, we do not in any way oppose the adoption of the resolution which is submitted to us. It should be perfectly understood that we reserve absolutely and completely our liberty of action, and that the examination which we are about to make of these proposals, which I call subsidiary, will in no wise prejudice the examination of the broader proposal which has been presented by the Delegates of the United States, as their personal proposal.

With these reserves, the Delegates of the French Government make no opposition to the resolution which has been presented to you.

MR. SURRA Y RULL (*Delegate of Spain*) declared that his colleagues and himself were disposed to adopt the resolution presented in general terms by the Delegates of the United States, but with the same reservations as those made by the Delegates of Great Britain and France. Consequently they could make no engagement as to the final decision of the Spanish Government, and the ratification by it of any measures which might be adopted.

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Declarations
by Mr.
Tirard and
others.

Mr. Surra y
Rull (*Spain*).

COUNT ALVENSLEBEN (*Delegate of Germany*) made the following declaration :—

Germany, being satisfied with its monetary system, has no intention of modifying its basis. The Imperial Government does not, however, fail to recognise that the continual oscillation and the considerable fall of silver are much to be regretted from an economic point of view, and that it would be advantageous to the economic interests of the Empire if these evils could be remedied in a lasting manner. Upon these considerations the Imperial Government felt that it ought to accept the invitation of the United States to this Conference. None the less, in view of the satisfactory monetary situation of the Empire, the Imperial Government has prescribed the most strict reserve for its delegates, who in consequence cannot take part either in the discussion or in the vote upon the resolution presented by the Delegates of the United States.

Count Al-
vensleben
(*Germany*).

MR. HANS FORSELL (*Delegate of Sweden*) thought that it would be premature to vote upon the resolution of the United States when the means were not known by which the use of silver as a monetary metal could be enlarged. He proposed to postpone the vote to a future meeting.

Mr. Forssell
(*Sweden*).

COUNT KHEVENHÜLLER METSCH (*Delegate of Austria-Hungary*) made the following declaration :—

GENTLEMEN,

I am far from mistaking the practical and desirable purpose of the resolution proposed by the honourable Mr. Allison. None the less, regulating my conduct by the instructions which I have received from the two Governments which I have the honour to represent in this Conference, I am obliged to declare that I shall be unable to give an opinion upon the resolution or to take part in a vote.

Count Khe-
venhüller
Metsch
(*Austria*).

MR. LARDY (*Delegate of Switzerland*) made the following declaration :—

The Swiss Government hastened to accept the invitation of the President of the United States, guided by the same sentiments which caused Switzerland to be represented at the Monetary Conferences at Paris in 1878 and 1881.

The events which have taken place since the meeting of the last Conference have not been of a nature to cause Switzerland to modify the principles which have

Mr. Lardy
(*Switzer-
land*).

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Declarations

guided her monetary policy hitherto. On the one hand Switzerland has had the privilege of coining very little silver money, so that her direct interests are concerned in a less measure than those of several other states; on the other hand by reason of the solidarity which unites her to other members of the Latin Union, from whom she receives silver coins, and by reason of her trade with silver-using countries, she has the most serious motives for listening to the proposals which the American Delegation or other Delegations may be called upon to make, and for studying these proposals in the most friendly spirit. The Swiss delegates are at the same time instructed to bring to this examination the greatest reserve, and they are not authorised to enter into engagements of any sort without referring them to their Government.

Prince Ouroussoff
(Russia).

PRINCE OROUSOFF (*Delegate of Russia*) expressed himself in the following terms :—

I must make the same reservations as others of our honourable colleagues.

The Russian Government takes the most lively interest in the Conference, and has therefore given instructions to its Delegates to follow attentively the debates; but they may not vote upon proposals which have a definite character or involve practical resolutions.

Baron de Renzis
(Italy).

BARON DE RENZIS (*Delegate of Italy*) spoke as follows :—

I have to make declarations analogous to those made by several of my honorable colleagues.

The Italian Government was represented at previous Conferences which have taken place for the same purpose. There was therefore no reason to refuse the invitation of a friendly country. On the contrary, we hastened to accept it. But we did not know the programme which would be submitted to us, and our Government was consequently unable to give us precise instructions upon the attitude which we should assume.

We are bound by treaty with the other States of the Latin Union, and naturally we cannot assume an attitude different from that of the other members of that union.

Mr. Bengesco
(Roumania).

MR. BENGESCO (*Delegate of Roumania*) made the following declaration :—

The instructions of my Government not having arrived, I consider myself bound to make the same reserves as my honourable colleagues. I declare therefore that I cannot take part in any discussion or in any vote upon the proposals which are submitted to us.

Mr. D'Antas
(Portugal).

MR. D'ANTAS (*Delegate of Portugal*) joined in the reserves made by some of his colleagues, notably by the Delegates of Austria, Russia, and Roumania. He recalled the fact that similar reserves had been made by the Delegate of Portugal at the last Monetary Conference.

Mr. Devolder
(Belgium).

MR. DEVOLDER (*Delegate of Belgium*) declared that as Belgium formed part of the Latin Union, he joined, in the name of the Belgian Delegates, in the reserves which had been made by the honourable Delegates of France and of Italy.

Caratheodory
Effendi
(Turkey).

CARATHEODORY EFFENDI (*Delegate of Turkey*) referred to the remarks which he had made at the commencement of the session, regarding the attitude which he would observe throughout the proceedings of the Conference. The Ottoman Delegation being without special instructions would neither take part in the discussions nor in the vote upon the resolution before the Conference.

Mr. P. Mulle
(Greece).

MR. P. MULLE (*Delegate of Greece*) declared that he made the same reserves.

Mr. van den Berg
(The Netherlands).

MR. VAN DEN BERG (*Delegate of the Netherlands*) said he was glad to say in the name of the Government of the Netherlands that the Delegates of the Netherlands would support without reserve the resolution submitted to the Conference by the Delegates of the United States, without however binding themselves in regard to the means of carrying out the programme which was there formulated.

Don Antonio
de Mier y Celis
(Mexico).

DON ANTONIO DE MIER Y CELIS (*Delegate of Mexico*) declared in the name of the Mexican Delegation that he should support the resolution proposed by the Delegates of

the United States, with the qualification which had been given to it by the honourable Delegate of the Netherlands, Mr. van den Berg, that is to say, with a reservation as to examining the means of carrying it out.

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Mr. Allison's motion
allowed to
drop.

MR. TIETGEN (*Delegate of Denmark*) expressed the opinion that in accepting the invitation to this Conference the countries which were represented had implicitly recognised that there was reason for examining the question which was the object of the resolution of the United States. He could not understand why, having accepted the invitation, anyone should refuse to vote for the resolution, the latter being simply a summary of the programme of the Conference. In voting for it no one would undertake any engagement.

BARON DE RENZIS (*Delegate of Italy*) thought that in view of the declarations which had just been made it would seem premature to proceed to a vote, and more useful to begin the discussion of the proposals which had been drawn up.

The PRESIDENT called attention to two motions which had been made; first, to adjourn the vote upon the resolution to a future meeting, or, secondly, to postpone any vote until after the examination of the various projects which might come before the Conference.

MESSRS. RAFFALOVICH (*Delegate of Russia*) and BOISSEVAIN (*Delegate of the Netherlands*) expressed themselves in favour of the last proposal.

MR. ALLISON (*Delegate of the United States*) stated that he would not insist upon proceeding to an immediate vote, the Delegation of the United States being ready to adopt the method of procedure which seemed to be preferred by the assembly.

The PRESIDENT proposed, therefore, to place upon the order of the day the examination of the different schemes submitted to the Conference, and to commence by the discussion of the proposal of Mr. de Rothschild, the text of which, together with the arguments in its favour, would be distributed before the opening of the next session.

After an exchange of observations, in which MR. SAINCTELETIE, BARON DE RENZIS, MR. RAFFALOVICH, MR. TIRARD, and CARATHEODORY EFFENDI took part, the order of the day was thus decided, and the date of the next meeting fixed for Monday, the 28th of November.

MR. HANS FORSSELL (*Delegate of Sweden*) remarked that the Conference of 1881 had brought together a valuable collection of documents relative to the production, the coinage, and the industrial consumption of gold and silver. He asked the Delegates to kindly hand in to the Secretary similar official reports for the period since 1881, to be annexed to the Minutes.

The PRESIDENT requested the Delegates to address their Governments with the view of satisfying the wish expressed by the honourable Delegate of Sweden.

The session adjourned at half-past 4.

APPENDIX A. TO THE MINUTES OF THE SECOND SESSION.

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SESSION.STATEMENT and PROGRAMME presented by the DELEGATES of the UNITED STATES of AMERICA
to the INTERNATIONAL MONETARY CONFERENCE of 1892.

Appendix A.

United
States Pro-
gramme.

It is generally admitted that the very large depreciation in silver as compared with gold during the last twenty years, and the frequent and violent fluctuations in the gold price of silver incident thereto, have been injurious to the commercial and other economic interests of all civilised countries, and have caused, and are causing, serious evils and inconveniences to trade, the full extent of which cannot yet be measured.

It is the opinion of the people of the United States, with singular unanimity, that the establishment of some fixity of value between gold and silver, and the full use of silver as a coin metal upon a ratio to gold to be fixed by an agreement between the great commercial nations of the world, would very greatly promote the prosperity of all classes of people. They are not unaware, however, of the fact that public opinion in some of the other countries whose co-operation in a successful movement for such an agreement is most desirable, may not fully accord with the views entertained in the United States as to the practicability of such an agreement. They believe, however, that a sentiment for a larger use of silver as a money metal has been steadily growing throughout the world, and that the time is propitious for holding an International Conference to consider the subject. The Government of the United States, while frankly disclosing its own views as to the proper remedy to be applied, did not wish to impose any conditions that would embarrass any Government that might be willing to confer upon the most advantageous relation of silver to the coinage of the world.

For these reasons, the Government of the United States proposed a convention of the Powers for the purpose of conferring as to what measures, if any, can be taken to increase the use of silver as money.

In conformity to the general purpose of this Conference the Delegates of the United States offer the following resolution :—

“That, in the opinion of this Conference, it is desirable that some measures should be found for increasing the use of silver in the currency systems of the nations.”

In presenting, as requested, a further programme to be laid before the Conference, the Delegates of the United States consider it to be due to the other nations here represented that an opportunity should be afforded them to consider plans for the enlarged use of silver as money other than the one favoured by the United States. It is our desire and expectation that the Powers represented at this Conference, or some of their Delegates, should submit proposals looking to this end; and we desire that these proposals should have precedence in the discussion. In addition to any plans of the kind which may be presented, we submit for discussion the following, which have been suggested by recognised authorities. At the same time we submit the general plan of International Bi-metallism which is favoured by the United States.

1. The plan of M. Moritz Levy, proposed to the Monetary Conference of 1881 (see Report, English Translation, p. 277).
2. The plan of the late distinguished A. Soetbeer* (see “Neue Freie Presse,” Vienna, September 30th, 1892; “Hamburgische Börsenhalle,” August 23rd, 1892; “Pioneer Mail,” Allahabad (India), October 13th, 1892).

Lastly we present the plan favoured by ourselves as Delegates of the United States of America :—

1. That the re-establishment and maintenance of a fixed parity between gold and silver, and the continued use of both as coined money of full debt-paying power, would be productive of important benefits to the world.

* See page 17.

2. That these ends can be accomplished by removing the legal restrictions which now exist on the coinage of silver into full legal tender money, and restoring, by international agreement, the parity of value between the metals which existed prior to 1873, at such ratio as may be decided upon by this Conference.

3. That the essential provisions of such an international arrangement should be:—

(a.) Unrestricted coinage of both gold and silver into money of full debt-paying power.

(b.) Fixing the ratio in coinage between the two metals.

(c.) Establishing a uniform charge (if any) to the public for the manufacture of gold and silver coins.

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United
States
programme.

PROPOSAL ELABORATED BY THE LATE DR. ADOLPH SOETBEER.

Basis of an International Monetary Agreement.

1. Acknowledgment of a fixed weight of pure gold as a universal and sole foundation and normal measure of the currency.

2. Maintenance in the several States of the existing gold currency system, subject to a general agreement that in future no gold coins shall be minted or issued which contain less than 5·8065 grammes of pure gold (20 franc piece), and that all previously coined gold coins of less value shall be called in and placed out of circulation within ten years.

3. Equality as regards the dues payable for minting gold coins at two per thousand.

4. Universal grant by central treasuries or banks of gold certificates for 500 grammes of pure gold, and any multiple of this amount, against effective gold coins deposited with them.

Agreement as regards similarity in the system of securing full cover for the gold value of these certificates.

5. The redemption of all bank notes and other paper currency tokens of a value of less than 5·8065 grammes of pure gold, within the next ten years; and an obligation not to issue any such currency tokens based on a gold standard.

6. The redemption within 15 years of all previously coined silver coins of a higher nominal value than 10 per cent. of the value of the future lowest gold coin of the country, and the minting of all future silver coins of a high value (herein-after called major silver coins) in the proportionate value of 20x pure silver equal to 1x pure gold. Minting of such coins to be effected only by and on account of the Government. As regards minor silver and other coins each nation to be at liberty to follow its own convenience.

7. Obligations on the part of each Government to accept at its public treasuries major silver coins of its own minting, to any amount.

8. Obligations for private persons or banks to accept major silver coins to the amount of three times the full value of the future lowest gold coin of the country.

9. Issue of silver certificates on the part of chief treasuries and central banks against deposit, to the full value of effective major silver coins. Such certificates not to be below half the value of the lowest future gold coin of the country, and to be issued only in multiples of this value. Guarantee of immediate cash payment of such silver certificate by major silver coins at the place of emission.

10. Credit notes against bar silver not to be issued.

11. Obligation on the part of the agreeing Governments to report to each Government included in the Convention, within eight weeks after the close of the calendar year, all laws passed by them as regards the currency system of their country, and all decrees or notifications on the subject, as well as progress made in the redemption of coins, in the circulation and the minting and issue of new coins.

12. Any State may withdraw from the Currency Convention subject to 12 months' notice.

Dr. Soet-
beer's pro-
posal.

APPENDIX B. TO THE MINUTES OF THE SECOND SESSION.

Appendix B.

Mr. de
Rothschild's
proposal.PROPOSAL of MR. ALFRED DE ROTHSCHILD (*Delegate of Great Britain*).

SIR,

IN the latter part of 1886 the Governor of the Bank of England, in view of the meeting of a Commission about to be held, was anxious to have the individual opinion of every Member of the Court, as there was some doubt expressed at the time as to whether the majority of the Directors were in favour of bi-metallism or not.

As a Director of the Bank of England, I expressed my opinion then, and, with your permission, I will read to you a letter which I wrote at the time :—

“SIR,

“New Court, E.C., 9th November 1886.

“I HAVE had the honour of receiving your letter in which you are so good as to ask my opinion on the great financial question of the day, namely, bi-metallism, and I feel it a great privilege to be able to comply with your request, although I am sure you will excuse me if I do not do so at any great length to; do so would entail entering into a great many statistics, and would likewise mean dealing with details and figures which I would infinitely rather leave in more competent hands. But the broad question of whether the introduction of bi-metallism into this country would be desirable is one which may be approached even by a humble individual like myself.

“I am strongly opposed to any radical change as regards the metallic circulation of Great Britain. In the first place, I hold that the progress of civilisation is towards diminishing the requirement of large amounts of bullion, instead of increasing the same, and what better proof can you have in favour of my argument than the existence and perfect working of our Bankers' Clearing House? That institution shows an average weekly return of 100,000,000*l.*, which one hundred millions sterling mean that *bonâ fide* transactions to that extent have taken place without the intermediary influence of bullion or even bank notes.

“In the face of such a perfect banking system, or rather such very simple means for the exchange of sums of such colossal magnitude, does it not seem an anomaly to say, ‘There is not sufficient bullion in the country. You must make silver a legal tender so as to enable A., at his option, if he owes B. 50,000*l.*, to discharge his debt by delivering at his door so many tons of silver.’

“As long as the British public has confidence in the notes of the Bank of England, this country will not require any excessive amount of bullion; and, the moment that confidence ceases, it is the gold which would be sought after and not the silver.

“What would be the position of the Bank of England if bi-metallism were to be introduced throughout Europe? I venture to think an extremely dangerous one; and if a financial crisis arose, whether from internal or external causes, the Bank would be unable to protect its stock of gold, and would be inundated with silver. This would not, and does not apply to other countries, because the laws which regulate the statutes of their State Banks are not so clearly defined, nor so rigorously enforced. For instance, the Bank of France in ordinary times does not give any really large amounts of gold in exchange for its notes, whilst in extraordinary times it adopts very promptly the necessary steps to protect its stock of bullion.

“What took place when the late war broke out between France and Germany? The Bank of France not only did not pay its notes in gold, but a quantity of five francs notes were immediately printed, in addition to which the Bank was authorised to issue more notes than it was legally entitled to do according to its charter. This did not prevent, nor would it prevent the French bankers from drawing bullion away from this market, either by sales of bonds on the Stock Exchange, or by getting their bills discounted in the open market here.

“As regards Germany, that country has also certainly a gold standard, but it would be difficult, if not impossible, to obtain any large amount of gold from Berlin, or from any of the branches of the Imperial State Bank.

“Then again, as to Italy, there is a large amount of gold stored away there, but as, in reality, it does not see daylight, that country might as well not have departed from its paper currency.

“Therefore, to sum up the situation in a few words, London being the centre of the financial world, we have to be doubly careful to protect our stock of gold; but if bi-metallism were introduced throughout Europe, we should have much greater difficulty in doing so, and should be obliged to increase our stock of silver whether it suited us or not.

"Whilst feeling very strongly on these points, there can be no doubt that there are great grievances both in India and China in connexion with the silver question, and if anything could be done towards diminishing those grievances, it would be extremely desirable.

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"To find, however, a remedy for both past and present grievances would be difficult, if not impossible; but as regards the former, old contracts in connexion with pensions, &c., might be revised, whilst as regards present grievances, the fact of the rupee having fallen considerably below its original value is not in itself more unfair than the exchange fluctuating between this and any other country. That something ought to be done for India there can be no doubt; but that, because a grievance exists in that country, it would be advisable to introduce into this country that which might prove a very dangerous experiment hardly seems to me a sound argument.

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"I will not conclude these lines without alluding to the printed papers which you were so good as to send me, and which have reference to a discussion which took place at the Bank of England in 1879. I remember perfectly well that discussion, as, after some conversation, it was decided upon by the Court of Directors not to purchase any silver for the Bank owing to the demonetisation of silver by the German Government. The wisdom of that decision has been fully proved by the subsequent great fall in the price and value of silver."

"I felt very strongly on the subject then, although it was a practical question which was at issue; and I feel equally strongly, if not more so, now, when the question presents itself in the form of a very wide and important theory."

"I beg to remain, Sir,

"Your very faithful and most obedient servant,

"ALFRED DE ROTHSCHILD.

"P.S.—It is unnecessary for me to say that the foregoing are entirely my own and personal views on the subject."

As you are aware, gentlemen, a Commission met at that time, under the presidency of Lord Herschell, a full report of which appeared in a Blue Book somewhat later, namely 1888, in which I believe my letter to the Governor of the Bank appeared; and, if I refer to this circumstance, it is for two reasons: in the first place, to remind you that the question which has brought us together here is one which was seriously discussed not very long ago, and, secondly, because I felt very strongly on the subject then, and have no reason whatsoever to regret in any shape, or to modify in the slightest degree the views which I ventured to express at the time; in fact, gentlemen, quite the contrary.

I felt then that a gold standard for England was the only possible one, and if we consider that the whole of her commerce, and a great part of that of other countries, is carried on by bills of exchange on London which are naturally payable in gold, I think it must be admitted that the world in general transacts its business on a gold basis, and that in reality such a thing as a double standard, except in a very modified form, does not exist even in those countries who profess to pay in either of the two metals.

It is now proposed to revert to a great extent to the old state of things which existed until 1873, namely, to open all or part of the mints of Europe to the free coinage of silver, and to discuss a ratio to be fixed.

Well, gentlemen, have the bi-metallists for a single moment thought what the result would be if such a measure were introduced? Why, clearly, from that very moment the Bank of England note would cease to represent sovereigns, and would be payable in a depreciated currency, because the Bank of England could never pay its notes in gold and at the same time be purchasers of an unlimited amount of silver, for within a very short period the 25 millions of gold which the Bank now holds in its vaults would, in my opinion, have disappeared, and have become replaced by silver.

In the final adjustment of international balances I cannot help thinking, whatever arrangement might be made, on the principles of bi-metallism, and whatever ratio might be established, gold and gold alone will always be chosen as the favourite, if not the only possible medium of settling a large debt, or of making a large remittance for some cause or other.

We, *i.e.*, our firm, have on several occasions been obliged to send a million sterling in sovereigns or bar gold abroad, which million when packed up amounts to a weight

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of about 10 tons! Is it likely, and even if desirable, would it be feasible and practical, supposing a ratio of 20 to 1 were established, to send 200 tons of metal at one and the same time? It seems to me that the operation would be impossible, and the sender would therefore naturally elect, or rather be compelled, to send gold even if it had to be bought at a premium.

The causes of the fall in silver, gentlemen, are so well known to all of you that I feel I should not be justified in taking up your time by recapitulating the same; but, in addition to the action taken by Germany in 1873, when she demonetised her silver, the action of three of the Great European Powers and several of the minor Powers has materially tended to further accentuate the downfall in the price and value of that metal.

Italy some years ago bought large amounts of gold and, whilst it is doubtful how much still remains there, the Russian Government have amassed some very large amounts of the metal, and the Austrian Government, who have recently introduced laws in connexion with their currency, have also commenced making their purchases.

I think, gentlemen, that this is a conclusive proof of the appreciation on the part of all the great countries of Europe of the single standard, or at least of the advantage of a gold standard.

We are then asked suddenly to go back to what took place before 1873, and to forget the enormous progress which civilisation has made in facilitating the financial operations of the world.

England, no doubt, owes a great part of her enormous wealth to the confidence which her monetary system has inspired both at home and abroad, confidence based on the fact that our bank-note represents sovereigns, and that a bill drawn upon England from any part of the world will at maturity be payable in the same metal.

As regards the internal resources of the country, I think it is perfectly clear that we have ample bullion and ample notes to carry on the enormous transactions of the day; in fact, so perfect is the system of the Bankers' Clearing House, and so great are the facilities afforded by all the large joint stock banks and private bankers to their customers, that neither bullion nor notes are required to any very great extent; and, if we consider the hundreds of millions sterling on deposit, and that the weekly accounts of the Bankers' Clearing House show average transactions of over 100,000,000*l.*, I think we may fairly say that our banking system is as near perfection as possible, although the word "perfection" is a great one to apply to anything or anyone.

Under this condition of things the commerce and the trade of the country have flourished, and it would be a dangerous, and possibly a suicidal experiment, to try and introduce any innovation into our system of currency.

Advocates of bi-metallism maintain that the fall in the price of silver has brought about a corresponding fall in the prices of various commodities.

This may or may not be the case; but, supposing the former hypothesis to be correct, I am not prepared to say that it would be a misfortune for England or the world in general; nor do I share the opinion of certain distinguished exponents of that theory, who deplore the fact of the Indian exporter being able to send wheat remuneratively to England, thus interfering seriously with the interests of the British farmer; but I hold that wheat at 30*s.* a quarter, instead of 45*s.*, is rather a blessing than otherwise.

But, gentlemen, the question as to whether the fall in silver is really the cause of the fall in the value of certain commodities is a very big one, and I should not be justified in taking up your time by dwelling too long on the subject; but I think the fall in the prices of commodities is due to over production owing in great part to the development of new regions in all parts of the world, and to the increased facilities of communication which have enabled these products to be placed at low prices in the European markets.

Apart from other considerations, it seems to me impossible to come to an universal arrangement in respect to a general currency question, as no two countries are alike as regards their individual wealth, resources, and expenditure.

We have large payments to make ourselves, and large payments to receive from others; we must be perfectly satisfied in our own minds that obligations to us will be equally faithfully fulfilled, and to admit the principle of a theory which would cast any doubt on the subject, since it would leave the debtor the option of paying in whichever currency suited him best, would, in my opinion, render it impossible for the trade of the world to be carried on a sound and stable basis.

But, gentlemen, although I venture to hope I have conclusively shown that bi-metallism for England is an absolute impossibility, still the question arises whether it

is not possible to extend the use of silver generally and thereby stop a further fall, the disastrous consequences of which no one can foresee.

I therefore take the liberty of respectfully submitting a proposal for your kind consideration.

It would be presumptuous on my part to imagine that I could suggest an absolute and lasting remedy, but I think a palliative might be found in the following form.

The American Government are purchasers of silver to the extent of 54 millions of ounces yearly, and I would suggest that, on condition these purchases were continued, the different European Powers should combine to make certain yearly purchases, say, to the extent of about 5,000,000*l.* sterling annually, which purchases to be continued over a period of five years at a price not exceeding 43 pence per ounce standard, but if silver should rise above that price, the purchases for the time being to be immediately suspended.

The details of such a scheme to form the subject of an international agreement to be discussed by representatives of the different Powers.

It is for you, gentlemen, if you should approve of my plan, to supplement it in any way which you may think fit and proper before submitting it to the examination of your respective Governments, and should the expression on the part of the Conference be unanimous, I cannot help thinking that it will have great weight and influence in the ultimate decision respecting this important question.

I think that an arrangement of this sort might give general satisfaction, and I venture to hope and believe that our American friends would find it acceptable.

I can see no objection either to silver being made a legal tender in England up to 5*l.*, instead of 2*l.* as it is at present.

It seems to me that the European Powers, holding as they do large amounts of coined and uncoined silver, cannot be indifferent to the market price of that metal; and as to England, we have no right to look at one side of the question only and to ignore the complaints of a powerful minority.

As regards India, I believe the proposal would be very well received. The bulk of the population would recognise that no material alteration, if any, had been suggested, whilst the merchants and bankers would know that the exchanges had been given a stability which could not be disturbed for a period of five years; for, if I am not misinformed, it is the instability in the exchange which is the principal factor in the complaints from India, rather than the depreciation in the value of the rupee itself.

In addition, the gold market would be relieved in so far as no appeal would probably be made to it, except from Europe, for some time to come, and as South Africa is increasing her output of gold yearly, an arrangement such as I have suggested would enable Russia and Austria to complete their purchases without unduly interfering with the money market in general.

Gentlemen, I need hardly remind you that the stock of silver in the world is estimated at some thousands of millions, and if this Conference were to break up without arriving at any definite result, there would be a depreciation in the value of that commodity which it would be frightful to contemplate and out of which a monetary panic would ensue, the far-spreading effects of which it would be impossible to foretell.

If I have alluded to India, it is because it is that country which from its enormous size and population is able yearly to find use for a very large amount of silver, not only for currency, but likewise for ornamental and other purposes; and if suddenly from some cause or other a demand from that quarter should cease, or through some specific legislation the actual value of the silver rupee should materially decline, I have no hesitation in saying that I for one should very much indeed regret such an issue, which would not only affect the value of the savings of hundreds of millions in India, but which would also materially affect the value of a commodity which, although it has at the present moment materially depreciated, still represents a gigantic sum.

I therefore sincerely hope, gentlemen, that the humble plan I have ventured to lay before you will be found worthy of your consideration and, I need not say, I hope ultimate approval.

It may be urged that it is expecting certain sacrifices on the part of other countries not so immediately interested as England and India. I cannot help thinking, however, that what is right and best for the world in general must eventually prove to be the best for individual interest.

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THIRD SESSION.

Monday, November 28th, 1892.

MR. MONTEFIORE LEVI, President, in the Chair.

ALL the Delegates were present, with the exception of MR. DE BROCKDORFF, *Delegate of Denmark*, DON JOAQUIN D. CASASUS, *Delegate of Mexico*, PRINCE OUBOUSSOFF, *Delegate of Russia*, and MR. LARDY, *Delegate of Switzerland*.

The Session was opened at 2 o'clock.

THE PRESIDENT proposed that, as an exception to the general rule, the Minutes of the First Session should be read, on account of the important declarations contained in them.

MR. DE LAVELEYE, the Secretary, read the Minutes.

Corrections.

MR. BENGESCO (*Delegate of Roumania*) wished to call attention to a note in Mr. Allard's work upon the monetary question which appeared to refer to Roumania.

The note for the year 1888 in Diagram III. was as follows:—"Agrarian rebellion, emigration from Europe increases, and causes uneasiness to several Governments."

It was true that in the year 1888 there was in Roumania the beginning of an agrarian rising, confined to certain districts, but this uprising was at once put down.

As to emigration there had not been any stream of emigration from Roumania either in 1888 or at any other period. On the contrary, there had rather been a tendency towards a considerable immigration.

These observations had been communicated to Mr. Allard before the Session. It appeared from his reply that there was a misprint, for which the rapidity of his work was responsible. The note in question should have been at the top and not at the bottom of Diagram III. It did not refer to Roumania specially, but applied generally to all other countries.

THE PRESIDENT took note of this correction.

MR. RAFFALOVICH (*Delegate of Russia*) called attention to a note in Mr. Allard's work. It was stated, under the year 1891, that "the Russian Government is alarmed by the rise in the value of gold, and requires payment in gold of its current accounts in Europe."

He wished to make full reservation with regard to this statement, which prejudged the intentions of the Russian Government with reference to the rise or fall in gold.

The honourable Delegate reminded the Conference that at the last meeting he had proposed that full publicity should be given to their discussions. He had hoped in this way to prevent the publication of false news, but he regretted to observe that some important organs of the press had made serious errors of fact in giving an account of the proceedings of the Conference.

The Minutes were approved.

Proposal to
appoint an
Examining
Committee.

THE PRESIDENT communicated to the meeting a letter from Mr. Raffalovich, in which the honourable Delegate proposed to appoint a Committee for the purpose of examining Mr. de Rothschild's proposal. He called upon Mr. Raffalovich to speak in support of this suggestion.

MR. RAFFALOVICH (*Delegate of Russia*) spoke as follows:—

GENTLEMEN,

I have asked you to consent to refer Mr. de Rothschild's plan to a Committee. The author of the plan deserves the gratitude of the Conference for having kindly laid before us, with all the prestige and all the authority of his name, a definite plan. I would not say that his plan will not be open to objections of principle. Even if it is

completed, if from a sketch it is converted into a complete plan, I would not say that it will be free from objections of detail; but I am convinced that it deserves to be taken into the most serious consideration by us.

At the beginning of our work we thought it right to reject the idea of appointing Committees, but at the same time we reserved the right of demanding a Committee, if it should be found necessary, when we came to consider proposals brought forward by a member of the Conference. It seems to me desirable that the Committee should be composed of experts in some sort; that its members should not be too many in number; that they should be urged to apply themselves steadily to their work, and not to spare themselves; and finally that they should observe secrecy as to their deliberations until the moment when they report to the Conference. Their report should give an account of the views expressed, of the opinions of the majority and minority, and of the advantages and drawbacks attaching to the plan.

If you accept my proposal, permit me in addition to express the wish that we may soon be allowed to hear from the American Delegates an exposition of their views upon the monetary question. We know that the Delegation of the United States has among its members men of the highest oratorical power, who are masters of the subject.

MR. VAN DEN BERG (*Delegate of the Netherlands*) made the following speech:—

MR. PRESIDENT AND DELEGATES,

I have taken the liberty of asking permission to speak for the purpose of supporting, in accordance with the desire expressed by Mr. Raffalovich, the reference to a special Committee of the proposal made by the honorable Delegate of Great Britain, Mr. Alfred de Rothschild. It is true that this proposal does not answer to our ideal. Our ideal is an international bi-metallic agreement. Such an agreement we firmly believe to be possible and desirable both from the theoretical and also from the practical point of view, but for the moment I do not propose to enter into the heart of the discussion in which we shall be engaged later.

So far as concerns my colleague and myself and the country which we have the honour to represent, we could not endorse the arguments against the bi-metallic theory which are put forward by Mr. de Rothschild in the memorandum which he has just presented to us. But we are not here solely to give battle for and against bi-metallism. We have met for the purpose of taking into consideration every serious proposal tending to meet the difficulties with which nearly all nations have to struggle with more or less intensity in connexion with their monetary circulation. Whatever reserves I may have to make on behalf of my country with reference to Mr. de Rothschild's proposal, reserves which I have already communicated to him, I cannot but applaud the consideration of a plan which, whether amended or not in accordance with the proposals of Levy and Soetbeer, offers us the prospect of an extension of the use of silver, and, as a necessary consequence, of a restricted use of gold.

But is there not a more effective means for obtaining the same end, for protecting ourselves against the "struggle for gold" which is to be seen to-day in a more intense form than ever, and which, it seems, must assume a far more acute and serious character still if the present Conference should lead to no result. For my part I believe that this means is already discovered. It is precisely the arguments put forward by Mr. de Rothschild himself which induce me to submit for your consideration the following observation, namely, that in my opinion a great step in advance would have been already taken if all the great central banks which are subject to the system of the "limping standard" (*étalon boiteux*) were to be guided by the example of the Bank of the Netherlands, in the policy which they pursue with reference to the stocks of gold which they hold.

The Bank of the Netherlands, gentlemen, is very miserly with its gold when it is demanded for home circulation, being of opinion that for internal exchange the coins of one florin and two and a half florins are sufficient, together with the State notes for 10 and 50 florins, and with the notes of the Bank of the Netherlands for 25 florins and upwards. Holland, which has not exactly the reputation of being a poor country, accommodates herself well enough to the lack of gold coins in her circulation.

What is the object with which the bank over which I have the honour to preside follows this policy? The sole object is that it may be able to release the gold demanded for export, when the necessity of such export is felt. The object which for many years we have had before us, which dominates our whole policy, and which hitherto has been attained with complete success, is to prevent entirely any premium or agio upon gold. For so soon as gold, which is the sole basis of our currency,

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Mr.
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Mr. van den
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reaches a premium—however insignificant that premium may be—it means the depreciation, to a certain extent, of our means of exchange—a depreciation against which we desire to protect ourselves by every possible means.

Well, gentlemen, if the Bank of France, the National Bank of Belgium, and the other banks could follow our example, they would see their stock of gold grow much larger than it is at present, and they would be able, with no inconvenience, to liberate as much as at any given moment would be asked of them for export, with the certainty of seeing it return again shortly, as we have so often observed in Holland. If no more impediments were put in the way of the free circulation of gold, if it were allowed to come and go at the bidding of the temporary needs of the money market, we should see the general course of business assume an entirely different aspect, and calm would reign where, too often at present, a feverish and unreasonable agitation turns men's minds and business out of their proper courses.

I am bold enough to hope, gentlemen, that in the way I have indicated we can find some remedy for the dangers which from time to time menace the international money market. If I have raised this question now, it is not with the object of submitting it at the present moment to the deliberations of the Conference, but that it may be taken into consideration by the Committee which I hope will soon be constituted to examine the proposal of Mr. de Rothschild, who, like myself, desires to restrict the use of gold in internal circulation, so as to give it a larger place in the settlement of international exchanges.

Mr. de Osma. MR. DE OSMA (*Delegate of Spain*) said:—

GENTLEMEN,

I desire to associate myself with the words of the Delegates of Russia and of the Netherlands, and with the sentiments by which they have been inspired. They propose to refer to a Committee the plan of Mr. de Rothschild which is now before the Conference. It would be impossible for us at the present moment to form an exact estimate of the compass of this proposal, and to say with certainty whether, in giving a vote in its favour, we could undertake, as our vote would imply, to recommend it to our Governments. There are too many details still to be defined, too many points which are still obscure. We are only acquainted with its main outlines. It is clear, however,—and this is the explanation of the sympathy with which the proposal appears to have been greeted—that in its conception, in its tendency, and in its object, it comes strictly within the limits of the mission which has been confided to us.

This mission, gentlemen, is, I think, a practical one. It is defined by the terms of the invitation which has been addressed to our Governments. It consists in endeavouring, with the good will which we all share and with a desire to succeed, to find means of mitigating the widely felt effects of the present crisis, by the more general use of silver in the currency systems or habits of each country. This aim may be shared by the most convinced and sincere supporters of each of the two systems between which the opinions of men of science are still divided, and it is this which makes our meeting here possible. But it seems to me that the proposal of the Delegate of Great Britain, by the very fact that it is not one which can be rejected *à priori* in the name of scientific principles, which are, perhaps, too absolutely laid down, is of the kind which it is specially incumbent upon us to examine. For this reason, without endeavouring to foresee the drawbacks which this proposal might offer, and without prejudging in any way its efficacy or its sufficiency, I have the honour to join the Delegates of Russia and of the Netherlands in asking that it may be referred to a Committee, whose first duty would be to put it into a definite form.

MR. RAFFALOVICH wished to say that he had made his proposal in his personal capacity, and not in any way as Delegate of Russia.

THE PRESIDENT observed, with the assent of Mr. Raffalovich, that the proposal of the honourable Delegate contemplated the appointment of a Committee to which would be referred not only the proposal of Mr. de Rothschild, but also the proposals of Mr. Moritz Levy and Mr. Soetbeer, and any other proposal which might be presented by a member of the Conference.

M. ALLARD asked whether it would be the duty of the Committee to examine the introduction to Mr. de Rothschild's proposal, or only the actual proposal itself.

THE PRESIDENT replied that the Committee would examine purely and simply the proposal of Mr. de Rothschild, and such other proposals as had been made or might be made.

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MR. RAFFALOVICH expressed the opinion that the examination of the introduction to Mr. Soetbeer's proposal ought also to be excluded from discussion in Committee.

Appoint-
ment of an
Examining
Committee.

THE PRESIDENT assented to this view.

MR. RAFFALOVICH's motion was put to the vote, and unanimously accepted.

MR. SAINCTELETTE proposed to leave to the officers of the Conference the duty of nominating the Committee. This suggestion was agreed to, and accordingly the Session was suspended for a quarter of an hour, to enable the officers to prepare the list.

On the resumption of the Session the PRESIDENT announced that the Committee would be composed of the following Delegates:—

Mr. Henry W. Cannon, Don Joaquin D. Casaus, Mr. Conrad Cramer-Frey, Mr. de Foville, Mr. C. J. de Osma, Mr. Hans Forssell, the Hon. Sir Charles Fremantle, Sir Guilford L. Molesworth, Mr. A. Raffalovich, M. Saintelette, Mr. Simonelli, Mr. C. F. Tietgen, and M. van den Berg.

SIR C. RIVERS WILSON believed he was speaking for his colleagues in proposing to add to the Delegates whose names the President had just read the President himself and the General Secretary.

He proposed that the Conference should adjourn to Friday, the 2nd of December. The Committee would thus have three entire days to deliberate and to prepare its report.

THE PRESIDENT announced that the General Secretary and he himself would willingly join the Committee.

MR. DE FOVILLE and SIR RIVERS WILSON having expressed their wish to see Mr. Alfred de Rothschild among the members of the Committee, as the author of one of the plans submitted to it, the honourable Delegate of Great Britain said that he would place himself at the disposal of the Committee, in order to supply, if it should be required, all necessary information and explanations, and that he was willing to be present at the meetings of the Committee if a desire for his presence were expressed.

After some observation from CARATHEODORY EFFENDI and MR. RAFFALOVICH, it was understood that the Committee would confine itself to the examination of the plans of Mr. de Rothschild, Moritz Levy, and Soetbeer, and of proposals coming from members of the Conference.

In accordance with the suggestion of SIR RIVERS WILSON, the Conference decided to fix its next full Session for Friday, December 2nd.

The Session adjourned at 4 o'clock.

FOURTH SESSION.

Friday, December 2nd, 1892.

MR. MONTEFIORE LEVI, President, in the Chair.

ALL the Delegates were present, with the exception of MR. DE BROCKDORFF, *Delegate of Denmark*, DON JOAQUIN D. CASASUS, *Delegate of Mexico*, PRINCE OUBOUSSOFF, *Delegate of Russia*, and MR. LARDY, *Delegate of Switzerland*.

The Session began at 2 o'clock.

The Minutes of the Third Session were approved.

Report of
the Com-
mittee pre-
sented.

THE PRESIDENT laid upon the table the Report of the Committee which had examined the proposal of Mr. de Rothschild, and also the plans of Moritz Levy and Soetbeer.*

THE PRESIDENT observed that this was not to be regarded as a final report on the work of the Committee, since it still had other proposals to examine; and in particular a proposal which had been handed in by the Delegate of Denmark, Mr. Tietgen.

Discussion
upon the
Report of the
Committee.

The discussion upon the Report was opened.

MR. BOISSEVAIN (*Delegate of the Netherlands*) made the following speech:—
GENTLEMEN,

I have asked leave to address you upon the Report of the Committee, and I am sure that I shall speak in the name of all the members of the Conference if, in the first place, I express our most sincere thanks to the members of the Committee for the work which they have already accomplished with so much zeal and ability. At the same time I would observe that the serious study which is proved by this Report to have been given to Mr. de Rothschild's plan shows the great respect—though not greater than was deserved—in which the Committee held that plan and its author.

For my own part, gentlemen, may I be permitted to add that it was with the most lively satisfaction that I saw this proposal brought forward. Not that I am in agreement with Mr. de Rothschild in all the opinions expressed in the introduction to his proposal. Far from it. On the contrary, I believe that international bi-metallism is the only monetary system which is thoroughly good from the theoretical point of view and the only system which, in practice, can satisfy all needs. I believe also that it is perfectly admissible for England.

If opportunity offers, I shall be glad to be able to develop these ideas; but this is not the moment to dwell upon them.

But Mr. de Rothschild does not deal only with different monetary systems. He speaks to us also of the present monetary position, and proves to us the necessity of taking measures to remedy the inconveniences and dangers which it presents. Upon this point I am glad to find myself in perfect agreement with him. I go further. It has been a great satisfaction to me to find that my opinion on this subject—an opinion which I have before now had occasion to express—is confirmed by a man of the personal competence of our honourable colleague, a man, too, who is at the same time one of the directors of the Bank of England, and one of the heads of the greatest banking house of the present day. I would almost say that when Mr. de Rothschild has given his opinion on this subject, there is no occasion for the rest of us to debate the question. We may consider the point as settled.

Mr. de Rothschild did not merely characterise the evil. He also indicated to us a remedy. It is for this, above all, that I am profoundly grateful to him, although his

* See Appendix A. to the Minutes of the present Session.

remedy is not that which I should myself have recommended. For, however strong may be my conviction as to the efficacy of international bi-metallism, I see very clearly that, for the moment at any rate, there are many obstacles in the way of its application. I therefore applauded warmly the decision which was taken to submit the proposal of Mr. de Rothschild to a serious examination. It seemed to me that the first duty incumbent upon our Conference was to take into consideration a proposal such as this.

Permit me, gentlemen, to remind you that in acting thus, we have not only given an undeniable proof of our assent to the first resolution which, at our Second Session, was laid before us by the United States Delegates, but that at the same time we have linked the work of our Conference to that of the Conference of 1881, at the point at which it was left upon the adjournment of that Conference on the 8th of July 1881. In the course of that Session Mr. Denormandie, one of the French Delegates, speaking in support of the motion for adjournment, borrowed certain quotations from speeches which had been made from different sides in the course of the discussions. "I wish," said Mr. Denormandie, speaking of these extracts, "to place them before your eyes in order to impress upon your memory the unanimous assent which has been given to this proposition, that there exists in the world a bad monetary situation, to which it is necessary to apply a remedy." Of these extracts I will reproduce two. "The evil of the situation," said the representative of Russia, "consists in the dearth of gold." "In the fall in the value of silver," added one of the representatives of Great Britain, "in the restoration of which I should like to find some means of co-operating." Once more, gentlemen, we have the honour and the advantage of having that same representative of Great Britain, Sir Charles Fremantle, amongst us.

Mr. Denormandie ended his speech as follows:—

"A radical solution can be waited for Meanwhile, the various means which some of you have imagined may be examined Can you seriously contemplate the question of your final adjournment? I confess that for my part I should consider this really deplorable."

You know, gentlemen, that although the Conference of 1881 was adjourned, it never met again. It is for us to take up the work which it left unfinished.

One more quotation, gentlemen, on this point. Mr. Pirmez, whose loss we now regret, was then Delegate of Belgium, and he said, in supporting the motion for adjournment:—

"Perfection (as regards the monetary situation) would evidently be the monetary unity of the whole world. How far we are from that! How many stages to be made before reaching it! But just because we are far from the goal, and because it is difficult to attain, we ought to try and approach it, and every difficulty overcome is a progress The Delegates of Belgium will therefore accept the motion for adjournment. They will do so the more willingly because their assent will be a homage to the initiative taken by the two great Republics in trying by an international understanding to realise progress in commercial relations."

To us also, gentlemen, Belgium has now given the opportunity of rendering this homage to the two great Republics. Having come here—where, I may add, life is made very pleasant for us—we have endeavoured to follow the road of progress which has so often in the past been shown to us by those two Republics.

But I return to Mr. de Rothschild's proposal, and say that in taking it into consideration we are in fact carrying on the work of the Conference of 1881, and taking it up at the point where it was then left. It is therefore with the greater regret that I see that a majority of the members of the Committee have been unable to find in that plan a solution which they could recommend for adoption to their respective countries.

It seems to me that two conclusions may be clearly drawn from the Report of the Committee. The first of these conclusions is that Mr. de Rothschild proposed a thoroughly serious scheme—indeed the personality and position of our honourable colleague were a guarantee that it could not be otherwise—a scheme to be reckoned among those which might be the subject of an international agreement for the regulation of currency in general. I say, further, that the object of such a scheme would have been to put into practice the principle on which the invitation of the United States was based, and which was reproduced in the first resolution of the American Delegates. The second conclusion to be drawn from the Report is, that the proposed solution does not ensure, by its own merits, the attainment of the result at which it

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aims, and also that the carrying out of the scheme would have met with insurmountable objections on the part of various Governments, among which—it is necessary to state the fact now—would have been that Government which my colleague and I have the honour to represent. What then, in fine, would have been its result?

We must now discuss the Moritz Levy proposal, which the Committee has adopted by a large majority. It also remains for us to consider whether we cannot find an important means of diminishing the difficulties of the present situation in the direction indicated to you by my honourable colleague (Mr. van den Berg) at the Session of Friday last,—a direction to which your attention was particularly drawn by the Committee.

But is there anyone so bold as to flatter himself that measures such as these could remedy the situation in a really efficacious manner? I believe, gentlemen, that we must admit that, just as the Conference of 1881 failed to find the means of overcoming the difficulties of the situation by the measures which it had in view at the time of its adjournment, so we have been now vainly ensnared by the hope that we should find in palliatives the means of arriving at an understanding between bi-metallists and mono-metallists, which would satisfy at least the most urgent needs of the present time.

I hope that I may be mistaken, and that the Committee which, as we have heard, is willing to proceed with its task, may be still able to agree upon some other efficacious plan to recommend to us; but I do not think that it is to be expected.

We find ourselves thus face to face with the last proposals which the United States Delegates have put before us, and I think that the moment has come for opening the discussion upon them.

Allow me, in concluding, to express the wish that we may be penetrated with a full conviction of the gravity of the situation, of the serious nature of the consequences it may have, and of the dangers with which it threatens us; and that in this spirit we may examine whether bi-metallism is not after all the sole remedy for the present position, however radical a remedy it may be, and however difficult its application now, when it has already been too long postponed.

MR. RAFFALOVICH, in his capacity of Secretary to the Committee, wished to point out to Mr. Boissevain that it had been agreed, in full Session, that the work of the Committee was not to include the examination of the introductions to the proposals of Mr. de Rothschild and Mr. Soetbeer.

This being so, he wished to make reserves as to his personal opinion on the conclusions reached by Mr. Boissevain, so far as regards apprehensions about the future course of events and about a silver panic. He pointed out that the Report of the Committee and not the monetary question generally should form the subject of the present discussion.

THE PRESIDENT, in accordance with the concluding words of Mr. Boissevain's speech, asked whether it would meet the views of the Conference to discuss the proposal of the United States Delegates for the establishment of bi-metallism before undertaking the examination of the Report of the Committee. He pointed out that in any case it would be very difficult to prevent speakers in the discussion upon the Report from bringing forward general arguments on questions of principle in support of their views.

MR. SANCHEZ DE TOCA (*Delegate of Spain*) made the following observations on the subject:—

I did not thoroughly understand Mr. Boissevain's conclusion. His proposal would prejudice the result of the debates which we shall here upon the Report just made by the Committee. He starts from the idea that, at any rate in its conclusions, the Report is not acceptable; and that, as the Conference is unable to accept it, we have nothing else left to do than to embark upon the general discussion on bi-metallism.

I recognise the great authority of Mr. Boissevain, but it seems to me that the Delegates of the various countries who have met together in this Conference ought to have the opportunity of expressing their opinion upon the clearly defined question which is submitted to them for discussion. If it should result from the debates that the conclusions which are laid before us cannot be accepted, then, and then only, need we approach the examination of the question which Mr. Boissevain would like to see us discuss without further delay.

I have a second observation to make upon the remark just made by Mr. Raffalovich. He has defined the subject of our discussion as the actual text of the proposals. I entirely agree with him. It might happen that a vote might be given upon the text of a proposal for reasons entirely opposed to those assigned in the introduction to it, or in the comments of the Committee.

When the debate is at an end our votes will be given upon the text of the proposals, and not upon the comments made upon them.

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MR. BOISSEVAIN observed, in reply to the Delegate of Spain (Mr. Sanchez de Toca), that in making his suggestion he had no intention of prejudging the result of the general discussion. He confined himself to communicating to the Conference the impression left upon him by the Report, and he would not press his proposal.

THE PRESIDENT interrupted the discussion of the Report in order to call upon DON ANTONIO DE MIER Y CELIS (*Delegate of Mexico*), who wished to make a declaration in the name of the Mexican Delegates collectively.*

LIEUTENANT-GENERAL STRACHEY (*Delegate of British India*) read the following declaration:—

Declaration
by General
Strachey.

The questions which this Conference has met to discuss, and among them the proposal of Mr. de Rothschild, which is more especially under our consideration, so seriously and directly concern India, that it will naturally be expected that a clear statement of the attitude of the Delegates of India in our discussion should be placed before you. At the same time it is desirable that you should receive an indication of the position of the Government of India in relation to the general subject for our consideration, inasmuch as India is probably more deeply interested in the possible results of our deliberations, and may be more practically affected by them, than any other country represented at the Conference. In making these observations, I wish to explain that they are to be regarded as the expression of my personal views, and that my quasi-official position as one of the members of the Committee recently appointed by Her Majesty's Government to consider and report on the subject of the present condition of the currency of India, imposes on me special reserves which you doubtless fully appreciate.

India, I need hardly remind you, is, with the exception, I think, of Mexico, the one country in the world the mints of which have till the present moment continued open for the coinage of silver without limitation. It has during the last 15 or 16 years been subject to the full effects of the gradual fall in the gold value of silver, which has at length brought the rupee from being equivalent to 1s. 11d. to its present rate of less than 1s. 3d., a reduction of 35 per cent. It has been the victim of the simultaneous, almost incessant, downward fluctuations of the exchange value of the rupee, which have arisen, not from those variations of trade demand between different countries, which are unavoidable and of relatively small extent, but almost wholly from the alterations in the intrinsic value of the coin itself in relation to gold.

The Government of India during this period has made many ineffectual attempts to protect itself against the effects on its currency of this continued fall in the value of silver in relation to gold, and notwithstanding the heavy burdens thereby entailed upon the country, has maintained the silver standard in the hope that circumstances might at length bring it some relief from the ever increasing difficulties of its position. But no such relief has come, and, on the contrary, the difficulties have become constantly greater, until they are becoming, if they have not already become, real dangers.

I need not occupy your time in entering in detail on the subject of these difficulties, which, from the nature of the case, are more or less due to the peculiar position of the Government of India and its relations with Great Britain, and of the gravity of which the Government must be left to judge for itself. How serious they are held to be will be shown by the circumstance that Her Majesty's Government have within the last few weeks appointed a Committee, under the presidency of Lord Herschell, the Lord High Chancellor of England, who presided over the Royal Commission on Gold and Silver in 1887-88, to report on the whole subject, with a view of arriving at some final decision in respect to it. The proceedings of this Committee have only been

* See Appendix B. to the Minutes of the present Session.

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suspended in consideration of what is due to the deliberations of the present Conference.

As an indication of the strained position of affairs, it may further be mentioned that there has lately arisen in India a serious agitation on this subject, and that pressure has been put on the Government to take direct action for the purpose of applying a remedy to the numerous evils which are regarded as being due to the fall in the value of the rupee, affecting not only the public finances and administration, but, with equal severity, numerous commercial, industrial, and social interests; and among the remedies proposed and strongly advocated by many influential persons and authorities is the adoption by India of a gold standard and the suspension of the free coining of silver at the Indian mints.

In these circumstances, the Delegates of India have been instructed that, while studying with the greatest care and good will, in concert with our colleagues at the Conference, every practical proposal suggested to ensure a wider use of silver as currency, they are on no account to give any pledge that may interfere with the complete freedom of action of the Government of India in respect to any measures affecting the currency of India it might desire to adopt.

I must be permitted to add that for these reasons I shall not be able to associate myself with any proposal unless it be of a distinctly practical character, and that this, in my estimation, will exclude all proposals that do not receive the support of countries sufficient in number and financial importance to give reasonable assurance of their becoming really effective, as well as those that may be of a nature to involve future prolonged discussion. I consequently regret to be compelled to say that, unless the course of the discussion should show a different attitude among the Delegates from that indicated by the Report that has been placed in our hands, it will, I fear, be impossible for me to support the proposal of Mr. Rothschild; though had it been more favourably received, I should have been glad to join in submitting it for the consideration of the Government of India, subject to certain modifications and reservations which my instructions would have imposed upon me.

As to the projects that involve the regulation of the coinage of gold, inasmuch as there is no legal gold money in India, it will suffice if I say that any system generally approved by the Conference would, in the event of the introduction of a gold coinage in India, doubtless be favourably regarded by the Government, and every reasonable effort made to conform to it.

Speech by
Mr. Allard.

MR. ALLARD (*Delegate of Belgium and Turkey*) made the following speech:—

Gentlemen, the proposal of Mr. de Rothschild, coming as it does from England, and laid before us with the most conciliatory intentions by a man so well qualified as he is, deserved the sympathetic greeting which it has received in this assembly; but, at the same time, we cannot fail to recognise that this proposal is not in itself a true remedy. It is, I should say, a sort of homœopathic consolation. It is intended to work upon the faith of the patient and not upon the disease itself. I, for one, do not possess that faith. I do not think that the proposal of Mr. de Rothschild is a sufficiently efficacious remedy for the evils from which the nations are now suffering and from which they have suffered during the last twenty years. The crisis which oppresses us is no birth of yesterday. It dates from 1873, the moment when free coinage of silver was suspended in Europe. The true remedy, which would be at the same time efficacious and thorough, would be the re-establishment of free coinage; but it appears to me that, for the moment, this solution has no chance of being accepted.

The proposal of Mr. de Rothschild is, in my eyes, inadequate, and I hope that its author will make use of his influence with the British Delegation and with his Government to bring us a proposal which, in accordance with the earnest desire which animates the Conference, may be of a nature to bring about an effectual change in the present situation.

The cause of this inadequacy may perhaps be found in certain errors, which I think I see in the considerations brought forward by Mr. de Rothschild in support of his proposal. He tells us, for example, that under this present monetary system "the commerce and the trade of the country have flourished, and it would be a dangerous and possibly a suicidal experiment to try and introduce any innovation into our system of currency." Mr. de Rothschild is speaking, no doubt of past prosperity, and not of present prosperity. The latter is disproved by the facts put forward by the British Government itself. Further on, he adds that "advocates of bi-metallism maintain that the fall in the price of silver has brought about a corresponding fall in the prices of

" various commodities. This may or may not be the case, but supposing the former hypothesis to be correct, I am not prepared to say that it would be a misfortune for " England or the world in general." If, however, Mr. de Rothschild were to question the farmers, the manufacturers, and the merchants, does he not think that the result might be to modify, to a certain extent, his ideas on this point ?

For my part, I am afraid that he is too optimistic. I will not speak of the opinion of the English Chambers of Commerce and Chambers of Agriculture, who complain so bitterly of the present situation. I will only recall that fact that in 1883 Mr. Goschen, who afterwards became Chancellor of the Exchequer, drew the attention of the London bankers to the dangers which, as he already foresaw, were bound to ensue for England from the fall in prices which he noticed at that time. In 1885 the British Government was rendered so uneasy by the unsatisfactory condition of business in England that it appointed the Commission on the Depression of Trade. If the prosperity of England had been as great as Mr. de Rothschild believes, it seems to me that the depression of trade would not have caused such uneasiness seven years ago. In each year I find a fresh expression of these anxieties. In 1886 Mr. Goschen spoke in favour of the issue of 1*l.* notes. He was of opinion that there was a want of gold in England, as shown by the great fall in prices. Later, in 1887, it was again Mr. Goschen who went to Manchester and again drew attention to the gravity of this fall in prices ; but this time he was not speaking to the London bankers, but to the Manchester cotton spinners. In 1888 the British Government appointed the Gold and Silver Commission,—you know with what result. And finally, in 1891, Mr. Goschen, then Chancellor of the Exchequer, pointed out the danger of the insufficient stock of gold in England, in a pamphlet which attracted much attention.

I do not see in all this, gentlemen, evidence of such a state of prosperity as should avert all anxiety. On the contrary, I call the attention of Mr. de Rothschild to all these facts. It is possible that in all these causes for apprehension he may find the means of inducing the British Government to make to the Conference a proposal which would be a little more acceptable and a little more advantageous for the nations which are represented here.

Unfortunately Mr. de Rothschild is not troubled by the fall in prices. He is disposed to think " that wheat at 30*s.* a quarter, instead of 45*s.* is rather a blessing than otherwise." But, I ask him, what do the British farmers think of it ? In Belgium I can assert that agriculture is suffering from this deep evil, and as for England, I do not think that Mr. de Rothschild's views are shared by Mr. Chaplin, formerly Minister of Agriculture, who has traversed the whole of England in the search for remedies to be applied to these evils.

It appears, too, from the reports contained in the English newspapers a week ago, that Monseigneur Walsh, the Archbishop of Dublin, is concerning himself with the monetary question, on account of the disasters which are befalling Ireland. When giving evidence before an English Commission on the subject of Irish evictions, he spoke in an absolutely bi-metallic sense. He pointed out the evils which had been produced in England by the scarcity and the appreciation of gold, and also the extremely difficult, embarrassing, and disastrous position in which the Irish farmers were placed by the same cause.

Mr. de Rothschild does not appear to be much disturbed by this fall in prices, which, nevertheless, affects all the interests of his country. In view of this it is a remarkable fact that he does not deny the scarcity of gold, but, on the contrary, himself states that that scarcity exists. He tells us, for example, that the Bank of France, in ordinary times, does not give any really large amounts of gold in exchange for its notes. I ask you, gentlemen, why the Bank of France should be so parsimonious, although it holds in stock large quantities of gold, if it were not that gold is really scarce ? Further on, Mr. de Rothschild speaks of Germany. I ask pardon of the honourable Delegate of Germany, but it is not I who am speaking, it is Mr. de Rothschild. As regards Germany, he says : " That country has also, certainly, a gold standard ; but it would be " difficult, if not impossible, to obtain any large amount of gold from Berlin, or from " any of the branches of the Imperial State Bank." Again, I ask, gentlemen, why should that be difficult if gold were abundant ? " Then, again," continues Mr. de Rothschild, " as to Italy, there is a large amount of gold stored away there ; " but, as, in reality, it does not see daylight, that country might as well not have " departed from its paper currency." You see that there is an actual race for gold between the banks of Europe ; it is the scarcity of gold which causes uneasiness to the public banks and which makes them act with great prudence. I ask, in all sincerity, whether a situation such as this ought to convince Mr. de Rothschild, as he

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says in the introduction to his plan, "that this is a conclusive proof of the appreciation " on the part of all the great countries of Europe of the single standard, or, at least, of " the advantage of a gold standard " ? They appreciate it perhaps, but it is rather like a sick man's appreciation of health.

Mr. de Rothschild shows considerable anxiety when he speaks of foreign countries. He reminds us that in 1870 the Bank of France was compelled to suspend the payment of its notes; and yet what could be more natural? But when he comes to the Bank of England he appears to be quite satisfied, and says, with regard to the English banking system, "I think we may fairly say that our banking system is as near " perfection as possible." Mr. de Rothschild appears to me to have forgotten that not long ago the bi-metallic Bank of France came, for the third time, I think, and at any rate for the second, to the assistance of the mono-metallic Bank of England, and was obliged to lend to that bank 3,000,000*l.* in gold, in order to spare it the difficulties which might have ensued from a fresh suspension of the Act of 1844. Is the system of the bank which confers the benefit, or of that which receives it, to be preferred by us? I do not hesitate to give the preference to the Bank of France, which conferred the benefit, although that bank is absolutely bi-metallic; and my conclusion is that of the two banking systems I prefer that which is based upon the two metals.

To return to the proposals of Mr. de Rothschild, I see plainly what their author asks of the nations which are represented here; but I do not perceive so clearly the advantages which he offers to them. It is upon England that the nations who have met together here had especially to count. Since the two Conferences of 1878 and 1881, the key of the unfortunate situation in which we find ourselves is, in fact, in the hands of England. I hope that, after having examined that position more closely, the British Delegates will turn to their Government, and will endeavour to obtain better conditions than those which they have offered us.

I ask, gentlemen, whether Mr. de Rothschild's proposal is really calculated to bring to an end the crisis from which we suffer? I do not think that it is. That crisis, which has been carefully observed by you for so many years, shows itself more particularly in the fall of prices, which acts upon the agriculture, the manufactures, and the commerce of all nations. It is produced by the increase in the value of gold, by what it is agreed to call the appreciation of gold; in other words, there is a real deficiency of international money, and I do not see that Mr. de Rothschild's proposal is of a kind to increase the quantity of international money. No doubt the nations would buy a little more silver if they accepted this proposal; but—and here I entirely agree with the opinion expressed in the Report of your Committee—purchases of silver have little influence towards raising the price of that metal. And here is the proof. In 1877 Mr. Bland, influenced by the lowering of the price of silver, which had fallen to 57*d.*, persuaded the American Congress to order monthly purchases of silver to the amount of \$2,000,000. Nevertheless, in 1889, eleven years later, we find silver at 42*d.*, a fall of 27 per cent. You see the result of the purchases. In 1890 the purchases were doubled. It was considered that the first measure had not succeeded, because the purchases were insufficient. It was supposed that the remedy was found. Silver rose from 44*d.* to 54*d.*, but this was again delusive. At the present time it has fallen again to 39*d.*, that is to say, lower than ever.

I ask myself, therefore, gentlemen, what influence the proposed purchases could have upon the price of silver, and upon the present situation? I hold that the plan would be abortive. If the price of silver has not been raised in consequence of the American purchases, it is an irrefutable proof that the evil is not to be found in the fall of silver, but that it consists solely in the appreciation of gold. You will accuse me perhaps of making too subtle a distinction, but you would be wrong. It is not silver which has fallen, it is gold which has risen, and I shall be able to prove it. There are, gentlemen, certain phenomena which are surprising, but at the same time very simple. Do you not often find when you are sitting in a train in a station that you think your train is going forward, when really it is the train next you which is moving in the opposite direction? The phenomenon that I mentioned just now is no more surprising than that, and I am about to give you a proof that such a phenomenon really has occurred in the matter of money.

If silver had fallen because its production was too great, it would be sufficient to find a use for it in order to make it rise again. I have just shown you that that was not the case. If, again, it were excessive production which has caused the fall in value of this metal, the fall would have been general; but you have just heard the Mexican Delegate tell you that in Mexico prices have not varied, and it has been proved that in India silver is not depreciated. What is the explanation, then, of the

fact that in Mexico, where silver is the only money, there have not been variations in prices? How could it happen that silver, depreciated by excessive production, should not fall in value in the very country where it is produced? How is it that in India the rupee still buys as much corn as formerly? For the simple reason, gentlemen, that silver has nothing to do with the result. It is the other train which is moving in the opposite direction. It is gold, your money of circulation in Europe, which you have made scarce, and which has therefore risen in value. It is in Europe alone that you have a crisis, due to a fall in prices.

Mr. de Rothschild, who belongs to a country which is essentially mono-metallic, recognises the fact himself. He says, "London, being the centre of the financial world, we have to be doubly careful to protect our stock of gold." If gold were not scarce there would be no need to protect it, for there would be nothing to fear. It seems to me that we have here a clear proof of the scarcity of gold, the existence of which I am now endeavouring to establish.

It is to be desired, gentlemen, that England should make an effort. Mr. de Rothschild's proposal has certainly been received here with marked sympathy; but it must be re-fashioned in such a manner as to respond better to the present anxieties of the nations interested in the question.

Here, again, is what Mr. de Rothschild tells us about the present position, an opinion in which I share:—

"If this Conference were to break up without arriving at any definite result, there would be a depreciation in the value of silver which it would be frightful to contemplate and out of which a monetary panic would ensue, the far-spreading effects of which it would be impossible to foretell."

Is not this declaration, made by a man of Mr. de Rothschild's competence, to a certain extent a paraphrase of another declaration made 14 years ago at the Paris Conference of 1878 by the British Delegate, Mr. Goschen:—

"If the demonetisation of silver were carried out everywhere at the same time, is it certain that the quantity of gold now in existence would be sufficient for the needs of circulation? A campaign against silver would be very disadvantageous even for the countries whose legal currency consists of gold only. The attempt which would be made from all sides at the same time to get rid of silver might cause grave disturbances in the economic situation, and might produce a crisis more disastrous than any of those which the commercial world remembers."

These declarations, both of them made by British Delegates, deserve the most serious consideration. It is from the crisis of which they speak that we are now suffering. It seems to me that the Conference should give the fullest attention to the gravity of the situation which was predicted 14 years ago by Mr. Goschen, and stated to exist at the present time by Mr. de Rothschild.

The Report of your Committee shows you, gentlemen, that the question is asked whether the United States would be able to continue their purchases of silver? Mr. Cannon, speaking for himself only, I am glad to say, has declared that there was some danger in this direction. Austria and Hungary contemplate the resumption of specie payments. They will have need of gold. I do not know the exact figure, but 700,000,000 francs (28,000,000*l.*) is the sum mentioned. Italy, Spain, Portugal, and the Argentine will also be obliged to ask for gold. Even India, according to the declaration made in Committee by the Indian Delegate, thinks of abandoning the silver rupee and adopting the gold standard. I ask, gentlemen, not without anxiety, how and where will it be possible to find these milliards of gold? They are certainly not to be found in Russia, nor in Italy, nor in Spain, nor in Portugal, nor in the Argentine, since all these nations are desirous of borrowing gold. Will it be in Germany? I doubt it. Will it be among the nations of the Latin Union? No, I promise you it will not. Those nations are still protected in a most effectual manner. They have the saving power of bi-metallism, they still have their five-franc pieces, which are able to serve for payment of any sum; and if difficulties arise, the Latin Union finds itself still protected by its double armour of gold and silver. It may perhaps be the dying song of bi-metallism, but none the less, it would be bi-metallism which will still protect us and will save us if necessary.

London, then, alone remains, where the sole stock is that of the Bank of England. But has not Mr. Goschen assured us, in a pamphlet which he published, that the English stocks were absolutely inadequate? I ask, then, gentlemen, on what side ought

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anxiety to be found? Is it on the side of the Latin races? Certainly not. I believe that the apprehensions felt by Mr. de Rothschild are serious:—

“If this Conference were to break up without arriving at any definite result, there would be a depreciation in the value of silver which it would be frightful to contemplate, and out of which a terrible monetary panic would ensue.”

But my conclusion is different from his. Where would this panic take place? It would inevitably take place at the doors of the Bank of England. I do not think that in England there can be any illusions upon this point; I believe, on the contrary, that all men of business will agree with me.

If, again, England is the creditor of the whole world, and if the whole world pays her in gold, it is none the less true that there are many nations which do not pay her at all. Is it then no longer true that the worth of a debtor consists in his power of paying? Is it not the true interest of a creditor so to arrange matters that his debtor shall be able to pay, rather than to drive him into a corner and to make him insolvent, as so many nations already have become? I urge England, therefore, to make one effort more, and to modify the proposal which has been made to us in such a manner as to make it more acceptable; and in this way to prevent the aggravation of the evils which already exist in the world of production. I have confidence that our united efforts can succeed, and ought to succeed, in finding a remedy for the crisis which is engaging our attention.

Mr. Bertram
Currie.

MR. BERTRAM CURRIE (*Delegate of Great Britain*) made the following speech:—

GENTLEMEN,

As I think it is the duty of every Delegate to show his respect for the Conference by contributing his mite to the proceedings, I shall ask leave to say a few words, though I fear that my opinions will fail to commend themselves to the majority of my honourable colleagues.

I am not one of those who believe that great evils are impending upon the world from the disuse of silver as the standard of value. This disuse has, I think, gradually arisen in obedience to the natural law of selection, by which progressive societies choose for themselves the methods best suited for their development. Any artificial attempt to arrest this process seems to me doomed to failure. We have witnessed the heroic labours of the United States in this direction. The fable of Sisyphus has been repeated for our edification, and although for a moment silver was by gigantic efforts forced up to a certain height, it soon came tumbling down again.

He must be a sanguine person who believes that such a costly experiment is likely to find imitators.

What, I may ask, are the supposed evils that we are called upon to remedy? As far as can be ascertained we are met here to endeavour to raise the price of commodities. Such an object is entirely opposed to the economic doctrines which are accepted in the country from which I come. Cheap goods and not dear goods, plenty and not scarcity have always been held to be conditions of profitable trade. That the general fall in prices has been brought about by the scarcity of gold has never been proved, and such a theory is, in my humble opinion, at variance with the facts which are within our knowledge.

To the question, what then is the remedy? I venture to reply, “A gold standard, even without a gold currency.” Such a system is already at work in several countries, and apparently it performs its functions to the satisfaction of the communities which have adopted it.

Theoretically, a gold currency like that of England may be best, but it is a costly luxury, involving an outlay which may perhaps be avoided.

I do not deny that exchange may sometimes be unfavourable to nations who do not possess an effective gold currency, but unless the credit of the nation sank very low, the fall in exchange would hardly be so disastrous as the fluctuation to which silver-using countries, such as India, have been exposed.

In conclusion, I would venture to submit that the wealth of a nation does not depend upon the gold and silver which it possesses. The contrary indeed is much nearer to the truth, and it might be argued that the more prosperous and civilised a nation becomes, the less occasion has it to use the precious metals, and the smaller is the stock which is required for its transactions.

The real desideratum for a nation is to maintain a surplus of revenue over expenditure, and thereby to establish and extend its credit. When that has been

accomplished, it may command as much gold as it can profitably use, and failing such credit, its monetary system can never rest upon a safe foundation.

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MR. ALLISON (*Delegate of the United States*) asked that the continuation of the discussion might be adjourned till Tuesday, basing his request upon the two grounds that the United States Delegates had not been able to make themselves thoroughly acquainted with the Report of the Committee, and that the debate had taken a wide range as concerns principles.

Proposal to
adjourn, and
discussion as
to future
order of
debate.

THE PRESIDENT observed that in the present state of the discussion there would be no inconvenience either in adjourning the debate, as Mr. Allison wished, or even in embarking upon questions of principle.

At the second meeting Mr. Tirard expressed the view—a view shared by a large number of members of the Conference—that it was desirable to examine in the first place the bi-metallic proposal of the United States. At that time it would have been unfortunate if the Conference had assented to that opinion. They would have run the risk of deciding, after discussion, the principal proposal, and of so throwing into the background the examination of the secondary proposals which equally form part of the programme of the Conference. Now this danger existed no longer. The Conference had appointed a Committee whose duty it was to undertake a serious study of the plans which had been or would be referred to it, and it was therefore now impossible for the Delegates to separate without having examined the monetary problem in all its aspects. In this state of things there would even be some advantage in beginning as soon as possible the discussion of the bi-metallic proposal of the United States Delegation. They had already found how impossible it was to examine a subsidiary proposal without entering into the very heart of the question. It would therefore be more practical to enter upon the general discussion.

MR. ALLISON (*Delegate of the United States*) spoke, in English, as follows:—

Mr. Allison.

The object of the Delegates of the United States at this Conference is to promote, if practicable, an enlarged use of silver. The programme which we presented was, in accordance with the invitation of our President, to consider this limited use, should it appear that there were important nations who were not ready to join in an agreement for international bi-metallism. We wish to ascertain their views. If unwilling to adopt our policy, it is our wish to discover how far they will consent to go in any plan for the use of silver, subsidiary to and in aid of that which was framed by us as our distinctive proposition. Hence it was that the minor propositions were put forward to bring about an interchange of views, and, if practicable, an agreement.

At the outset of the discussion opposition appeared to a proposition which was merely declaratory, which indicated to us that the distinct proposition of the United States would not be approved by important States necessary to an agreement. In order to reach a definite proposition likely to secure more general assent, we raised no objection to the submission of certain outline plans of Mr. de Rothschild and others to a Special Committee for consideration in the first instance.

The Committee has just reported the result of its labours, and we appreciate the industry, ability, and assiduity with which it has fulfilled its task. But since these labours did not reach a definite result, it seems proper to us to proceed to the discussion of the general proposition of bi-metallism, if such be the desire of the Conference. At the same time we are not unmindful of the fact that the assent of a number of important States sufficient to make such an agreement effective may not be secured. Therefore we can see the force of a proposition to continue the debate upon the Report presented, especially as that debate has to-day taken a wide range, which is likely to continue, and embrace the subject at large, and we are willing to abide by the decision of the Conference as to the order of discussion without any special preference on our part. Whatever may be this decision, we shall be ready to open the debate upon the general proposition at the meeting on Tuesday next, if that is the wish of the Conference.

MR. TIRARD (*Delegate of France*) thought that it seemed difficult to refuse to the United States Delegates the adjournment till Tuesday for which they asked.

SIR C. RIVERS WILSON (*Delegate of Great Britain*) supported the motion for adjournment, and urged that it would be very inconvenient to invert the order of the

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day. They should abide by their decision to begin by examining the subsidiary proposals. The intention of the Conference was clearly to pronounce upon these plans before entering upon the great discussion on bi-metallism.

Adjourn-
ment.

After an exchange of observations, in which MR. TIRARD, MR. DE TOCA, MR. RAFFALOVICH, MR. TERRELL, MR. DE OSMAN, and CARATHEODORY EFFENDI took part, the Conference decided to continue on Tuesday the discussion upon the Report of the Committee, advantage being taken of the view again expressed by the President that it would be necessary to allow the speakers full liberty to treat the question from a general point of view.

The Session adjourned at half-past 4 o'clock.

Appendix A.

APPENDIX A. TO THE MINUTES OF THE FOURTH SESSION.

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mittee.

REPORT of the EXAMINING COMMITTEE.

GENTLEMEN,

The Committee selected during the Session of the 28th November had for its duty the examination:—

1. Of the proposal which Mr. de Rothschild had submitted to the Conference.
2. Of the projects of Moritz Levy and Soetbeer referred to in the programme of the Delegates of the United States.
3. Of any proposal emanating from a member of the Conference which might come before it.

The members of this Committee appointed by the Bureau with the consent of the Conference have acted as experts. The opinions which they have uttered rest upon their individual responsibility alone.

The Committee has held six meetings, over one of which MR. TIETGEN presided, having kindly accepted the functions of Vice-President. It examined methodically Mr. de Rothschild's proposal, and those of Moritz Levy and Soetbeer; it still has before it a plan presented by Mr. Tietgen.

The examination of any proposals whatever relating to the object for which the Conference is held necessitated, as a preliminary, precise declarations upon several essential points:—

1. The possibility of legislative measures to be taken by the silver producing countries, with a view to restrict or regulate the production of this metal.
2. The present probability as to the future production of silver in its two principal centres, namely, the United States and Mexico.
3. The policy of the United States in regard to the purchase of silver.
4. The policy of British India as to the coinage of silver.

Upon these four points the Committee has recorded the following declarations:—

First Question.

MR. CANNON said that the question of limiting production had been examined by the United States. It had been recognised that under present legislation there is no method of obtaining this end, and that a modification in this sense of the present law is improbable. The Federal Government has no direct or indirect interest in the production of silver mines. Furthermore, European capitalists are in large measure interested in the mines of the United States, and that complicates the question.

It would be very difficult to tax this production. It would be necessary to increase the Customs inspection upon the frontier between the United States and Mexico, and between the United States and the British Possessions. Smuggling of ore and metal would have to be guarded against. Interference of public authority in the rights of private individuals would not be tolerated in the United States.

MR. CASASUS agreed completely with what Mr. Cannon had said. In Mexico the considerable increase of production was due to the decrease of taxes, to the improvement of processes in mining and refining, and to the decrease in the cost of transport.

Thanks to these various factors, the production increased between 1874 and 1891 from 23 to 42 million dollars. It is, then, at present subject to natural laws. Supposing the tax could be increased, could the spirit of invention be extinguished? The increase of taxation could be compensated by technical or scientific improvements.

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Second Question.

As to Mexico, MR. CASASUS said :—

"The production in this country has perhaps arrived at its maximum. The tax has been successively reduced from 30 to 7½ per cent. on the gross product. It must not be forgotten that silver is our great article of exportation, and the Government has every interest in not hindering its sale. The Constitution prevents the Government from interfering by a contract with the producers. There is no way of restricting the working of the mines, or of forbidding the exportation of their produce. It is then impossible in this respect to oppose the action of natural laws, but it may perhaps be some consolation to the Conference to learn that the production of Mexico has probably reached its culminating point."

As to the United States, MR. CANNON set forth what follows :—

"The production of silver is concentrated in six States and three Territories. The value of silver mined is infinitesimal in comparison with the annual sum of the general production of the country. For five years, since the extension of railways into the Rocky Mountains, a great number of mines have been opened up. An inventory of our mineral riches has become possible. I am ready to believe that the maximum of production has been nearly reached, if it has not already been reached or even passed."

Third Question.

The present policy of the United States in regard to the purchase of silver was defined by MR. CANNON in the following terms :—

"The United States have seriously taken into consideration the idea of repealing the Silver Purchase Act of 1890. The two political parties, as well as the great bankers of New York, have advised this repeal, and if during this Conference some arrangement is not attained, it is more than probable that America will not continue disposed to buy annually fifty-four million of ounces of silver at the market price."

Fourth Question.

In regard to the policy of British India as to the coinage of silver, SIR GUILFORD MOLESWORTH expressed the following views :—

"As long as there is any hope of seeing an international agreement concluded, the Indian Government hesitates to modify the system in force at present.

"The Committee which has been appointed in England especially to study the monetary system of India has adjourned during the Conference at Brussels. But if this Conference arrives at no conclusion, India will be obliged to act for herself. The adoption of the gold standard in India will be fraught with grave difficulties, but it will be much worse for those countries which already use gold than for India herself, with her two hundred and fifty million inhabitants.

"The only satisfactory solution would be the adoption of international bi-metallism, in which India should join the Latin Union and the United States.

"If the adoption of a plan submitted to the Conference renders probable the maintenance of a relative stability in the price of the metal, it is not likely that the Government of India would close its mints to silver. Even if the plan should meet with only partial but sufficiently important adhesion, the Government of India, without relinquishing its liberty of action, would be disposed to buy silver, or to permit the coinage of a fixed quantity of silver—not less than fifty million rupees a year—during the entire duration of the arrangement."

After these declarations, the importance of which the Conference will realise the Committee proceeded to examine the plan presented by Mr. de Rothschild.

From a theoretical point of view the principal argument advanced by the adversaries of the plan was, that the intervention of a buyer endeavouring to influence the market

for the metal is in conflict with the economic law, which lays down that natural laws overpower sooner or later all attempts of an artificial character. Furthermore, it would be impossible to limit in advance the sacrifices into which the nations might be drawn, especially if, in the definite arrangement of the plan, the interference recommended should go so far as to give an impetus to the speculative rise of the metal.

Upon the same theoretical basis, the partisans of the plan conceded that an intervention such as that proposed would be dangerous unless it were limited both in the length and importance of the engagements to be undertaken. But with a duration of five years; and with a maximum limit to the purchases to be effected, the moral effect should be considered, which would result from concerted action on the part of the States interested above all in maintaining the stability of the value of the metal, and in opposing a dam to its uninterrupted fall. Monetary policy, in regard to silver, would be settled for five years, and, besides this agreement of European nations, there would be the certainty of seeing the United States, Mexico, and India remaining faithful to their present line of conduct, as appears from the declarations recorded above. In the last analysis it is on these elements of stability that we must rely for obtaining not a rise, but a certain steadiness in the price of silver, rather than on the quantity of metal purchased by the community of the European States.

Touching upon practical ground, it was asked whether the experiment had not already been made in more favourable conditions. The United States substituted, in 1890, the Sherman Act for the Bland Act. From 1878 to 1890 they bought two millions of dollars of silver every month; dating from 1890, their monthly purchases amount to four and a half million of ounces. This was adding to the annual demand more than would be added on the part of Europe by the de Rothschild plan. Nevertheless, with the exception of an ephemeral rise in 1890, a rise resulting from an ebullition of speculation which thought its risk limited, the price of silver in London has not ceased to fall.

It was urged that Europe, without any preconcerted agreement, had absorbed in the three years, from 1889 to 1892, more than 300,000,000 francs (12,000,000*l.*) for the needs of its coinage, and that nevertheless the price had fallen. The experiment to which we are invited has been freely made both in the United States and in Europe.

Emphasis was laid upon the connexion existing between the larger use of silver and the price of this metal. There are two groups of nations, it was said. Some find it convenient to increase their currency, and in consequence have to buy silver; and such nations will always be free to continue their purchases. Others are amply provided with white metal, and would accept the proposed scheme only if it could be proved to them that by means of some sacrifices they could contribute to the maintenance or the increase of the price of the metal.

In the same line of thought, it was replied that the experience of America is not conclusive, seeing that since 1878 political opinion in the United States has been essentially changeable, oscillating between the prospect of free coinage and that of the cessation of Treasury purchases, while Europe held aloof in an attitude which was merely expectant, if not actively hostile to the white metal, and therefore tending to discredit it still further.

This uncertainty of the future, instead of slackening the production, seems to have stimulated it; since mine owners desired to benefit by the present circumstances in throwing upon the market the largest possible quantity of metal, and thus selling in advance of the much-feared realisation of European stocks.

The suggested experiment would be made in entirely different conditions, since it would imply an accord of all united interests.

It is true that the European countries which would become purchasers of the metal are not all in an identical situation. If there are some which can easily add each year a certain quantity of silver to their circulation, there are others which already have a more than sufficient stock of white metal. For the last, a certain compensation for possible sacrifices would be found without doubt in the stability of its value, in the arrest of its fall, and perhaps also in the conditions of greater security in international trade, and in the greater facility of exchanges.

However, for all European nations it would be eminently fitting to study measures tending to add to the silver currency, to increase the scope of its circulation and its debt-paying power. Besides the purchase, an outlet must be thought of. A fixed and concerted monetary policy would have the advantage of presenting guarantees of such a nature as to reassure the interested States and to ward off the menace of an available stock not employed in general circulation.

In the course of the discussion, moreover, it clearly appeared that the silver-producing States, and those in which free coinage exists could only consent to such an agreement in accord with the States of Europe, if they were assured that the newly bought silver would be used as money. Following this same order of thought, it was suggested that in order not to over-burden uselessly the currency, it would be wise not to employ for coinage or for the creation of silver certificates the entire quantity bought, but only a sufficient amount to put into circulation new money of a nominal value equal to that which the silver would have had if it had remained at par. The surplus would constitute a reserve fund, which the purchasing States would agree not to sell again. Such a use of the purchases would be considered as monetary in the sense indicated above.

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mittee.

As this point of the examination of Mr. de Rothschild's plan the question was raised how, if it should be adopted, the purchases should be made. We considered the situation of the States whose banks hold only a limited amount of gold, which serves to correct the rate of exchange in case of an unfavourable balance of international payments. It was suggested that an international agreement would be infinitely more easily obtained, if the Banks of Issue would cease to consider their stock of gold exclusively as an ultimate reserve against any possible drain upon them, if they would abandon the policy of a defensive premium, and allow the gold stored in the vaults to enter into circulation, when there is a need of it for exportation. It is therefore permissible to ask if in the event of an international agreement the intense and exaggerated apprehensions of the necessity and efficacy of large metallic reserves might not be modified.

Having exhausted the general questions, whether of theory or practice, the Committee examined in detail both the project relating to silver purchases and the means hitherto suggested for increasing the use of that metal.

At this point, Mr. de Osma with much tact crystallised in a tangible form the various proposals which form the subject of this Report and which had been referred to the Committee for examination.

Purchase of Silver.

1. The European States which agree upon the basis of this proposal will buy in each year thirty million ounces of silver, on condition that the United States agree to continue their present purchases and that unlimited free coinage be maintained in British India and Mexico.

2. The proportion of the purchase to be made by each country will be determined by agreement.

3. The purchases will be made at the discretion of, and in the manner preferred by each Government.

4. These amounts of silver will be devoted in each country to the monetary uses authorised by the legislation of that State; and the silver will be either coined or made the guarantee for an issue of ordinary or special notes as each Government may think fit.

5. The arrangement will be made for five years. The obligatory purchase of silver will be suspended should the metal reach in the London market a price determined by agreement between the Governments. The purchases may be resumed if the Delegates of the different countries interested should agree upon the fixing of a new limit of price. They should be resumed in any case if the price falls below the original limit.

The writers of this Report think it right to call the attention of the Conference to a divergence in the views which were expressed in regard to the method in which the European States should make these purchases. Should they create a central organisation operating for the common account of the contracting States, to avoid simultaneous and competing purchases; or would it be better, on the contrary, to allow each State absolute freedom to proceed independently in its purchases, conformably to the agreement made?

Increased use of Silver.

The Committee proceeded to examine the proposal of Moritz Levy. As to the plan of Soetbeer, with its more complex provisions, it does not seem to offer a practical basis for agreement.

The withdrawal of small gold pieces and small notes would assuredly have the advantage of making a larger place for silver in the circulation, and would thus conform to the programme of the Conference. The objections made were based upon—

- 1st. The cost of re-coinage of existing coins.
- 2nd. The unpopularity of the withdrawal of small gold pieces in some countries.
- 3rd. The difficulty of withdrawing small notes in other States.

The text of the proposal was formulated as follows:—

1. The withdrawal from circulation within a period of of gold coins containing a weight of less than 5·806 grammes of fine gold (20-franc pieces).
2. The withdrawal of notes of a less value than the coin of 20 francs or its equivalent, an exception being made of notes representing a deposit of silver.

The Committee was unanimous in declaring that the proposals given above are of extreme interest, and in desiring that they should be discussed in the meetings of the Conference. Consulted on the question whether they think that they could personally recommend the adoption of these resolutions to their respective Governments, in case they should receive the approbation of a sufficient majority of the Conference, the members of the Committee were divided, and a majority of seven votes to six were given for the negative so far as the proposal of Mr. de Rothschild was concerned; while by a large majority the Committee adopted the proposal which bears the name of Moritz Levy, who formulated and defended it, but which owes its origin in the first instance to Mr. de Thoerner.

When the vote was given on this second proposal, and to explain the support which he had given to both of the proposals which had been submitted to the Committee, Sir Charles Fremantle declared that personally he could not recommend his Government to accept the proposals relating to the demonetisation of small gold coins, except in connexion with the plan of Mr. de Rothschild, or some other plan supported by a preponderating majority of the great Powers.

Finally, we would mention that Mr. Montefiore Levi abstained from voting. Belgium being represented in the Committee by one of his colleagues, the President desired to make no use of his right to vote, although the opinions expressed in Committee had only a personal character.

GENTLEMEN,

The Committee which you appointed has completed its first labours. The two proposals above formulated come before the Conference. They have been considered, we repeat in the name of the Committee, of extreme interest and worthy of the serious attention of the Delegates.

MONTEFIORE LEVI, President.
TJETGEN, Vice-President.

G. DE LAVELEYE,
A. RAFFALOVICH,
Secretaries.

APPENDIX B. TO THE MINUTES OF THE FOURTH SESSION.

DECLARATION of the MEXICAN DELEGATES.

Amongst all the countries concerned in the important question of silver now under your consideration, the country most interested is without doubt Mexico. Mexico is the country in which the largest amount of silver is produced except in the United States, and silver is not only our money, but for long was our sole and still is our chief article of export. Although this fact deserves consideration, we would not exaggerate the importance of our vote in this Conference, and we acknowledge that the opinion of the old-established nations, excelling our own in wealth and economic power, ought to prevail. Mexico is yet in its infancy in the development of its great natural wealth, and has not been able, by lapse of time or by experienced and scientific labour, to attain to the accumulation of wealth possessed by the older nations. We come to this Conference to help you, as far as we are able, to form a true

impression, by communicating to you our opinion, and by informing you what, in our view, will be the effects of the present state of silver on the internal condition of our country, and on its commercial relations with foreign nations, and especially with those of Europe.

We entirely believe that the great and rich nations of Europe desire the prosperity of the two-thirds of the human race who have not, and cannot have, any money in circulation but silver, and that they will do their best to remedy the perturbation and losses caused by the present state of that metal, so far as is consistent with their own interest. They will remember that these two-thirds of the human race, consisting of nations at a less advanced stage of civilisation than theirs, are their debtors for considerable sums and are consumers to a certain extent of their produce.

We consider that European nations have a real interest in hindering depression in the affairs of their creditors and of the consumers of their produce.

In the opinion of ourselves and of our country we cannot find just or reasonable cause for the present depreciation of silver.

This depreciation is attributed by some to the greater production of silver. Without troubling you with statistics which are well known to you, we may remark that the increase in the production of silver during the last twenty years is greatly inferior to the increase of all the elements concerned in monetary circulation.

Following the unalterable law of the progress of mankind, everything in Europe and the world over has increased in much greater proportions than the precious metals. If we take into account the increase in population, in consumption, in commercial and industrial business, in the budgets of the different States, in the public debt, and in the fiduciary circulation, it might well be maintained that it is the currency which requires augmentation, and in the opinion of learned economists it is there that a remedy may be found for the low prices and the depression in commerce now experienced in most countries.

We shall be asked what, in our opinion, are the causes of this real and tangible depreciation of silver, if we consider that there is no real ground for it; and we do not hesitate to attribute its origin to what may be termed imaginary causes. The first was the development of the mines of California. The United States had no important silver mines before they acquired this country, after their war with Mexico in 1848. They discovered the mines of Nevada, and attracted by the richness of the yield and the grandeur of the enterprise, they believed them to be inexhaustible. To increase and hasten their yield, gigantic works were undertaken (for example, the well-known tunnel of Sutro), in which millions of dollars were sunk, and which, when completed, caused great disappointment; for metal was not found in the deeper levels, and the production, though remunerative, fell to its present level, and was not more than what may be considered normal. But this disappointment gave rise to such rooted distrust of mining enterprise in the public mind, that speculators, with pardonable and natural enterprise, took possession of the field, as indeed they had endeavoured to do a few years before during the great production of gold in California and Australia, and by their efforts alone restrained the rapid diminution in the production of that metal.

It was during this state of opinion in regard to silver that its demonetisation took place in Germany, where apparently there had been no cause for complaint, since the people in general had made no protest on the subject. This demonetisation was due to reasons whose weight we are not in a position to estimate, and was perhaps connected with the desire to aggrandise the institutions of the recently established Empire, of which the Germans were so proud.

Some years later other nations adopted the gold standard with the object of obtaining regularity in their relations with their neighbours, England and Germany. Finally, Austria-Hungary has begun to adopt the gold standard, and this also has affected the price of silver, but without reasonable cause, since the change of standard will still take several years to be fully accomplished. It is necessary to obtain the gold required for carrying out the new arrangement; and, moreover, gold will not take the place of silver, since it will be substituted for paper money only. It is also believed that the silver at present owned by Austria itself will be used for the coinage of small money, and that there will be no surplus to be thrown upon the market.

All these events have greatly contributed to the depreciation of silver, but the resolution of the nations forming the Latin Union to coin no more silver has had still more influence. This measure was taken to avoid the sudden invasion of the silver demonetised in Germany and elsewhere; but there seems to be no longer any reason-

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able ground for it, since it may be stated that that silver has almost disappeared from the market, having been consumed or otherwise disposed of many years ago. Since then the depreciation has increased, and the efforts and great sacrifices made by the United States to restrain it seem on the contrary only to make it grow.

The foregoing is our opinion on the causes which have produced the depreciation of silver, and we confine ourselves to submitting it for your consideration without attempting to deduce the consequences or to propose more or less radical remedies, which, if it is possible, your goodwill and competence will discover, for the purpose of attaining for the general good the happy result which we may anticipate from your labours.

To help to form your opinion let us pass to the results of the depreciation of silver in the country of which we are Delegates.

At the time when the above events took us by surprise, silver (either coined or in bar) was our sole article of export and prescribed the limits of our import trade; for except silver, we did not, in 1873, export more than six millions of piastres in vanilla, tobacco, coffee, skins, &c.

The depreciation of silver, as it has appeared to foreign countries—for in our own country values have not perceptibly changed—has produced an actual premium on exportation. Articles which were not exported formerly are sold now in the markets of Europe and the United States at a loss of 8, 10, or 15 per cent. on the cost of their production and the expenses incurred, because compensation is found in the gain in exchange of 25 or 30 per cent. corresponding to the depreciation of silver; and for this reason the export of articles other than silver has risen from six millions of dollars in 1873 to 27 millions in 1891.

In view of these results we have reason to believe that after a few years we shall be able to pay the value of our foreign imports in produce of the country and in raw material, and perhaps even more than this; and that our silver, of which the present production is 40 millions of piastres a year, will disappear from the European markets. You will judge whether this disappearance will be useful or injurious in European transactions, especially in those which deal with Asia.

But if silver remains in Mexico in larger quantities than it has hitherto done, productive employment for it must perforce be found. Agriculture will certainly be developed, but, considering the special circumstances of the country, we think that industrial work will be preferred. The production of our own manufactures will cause a proportional diminution in the consumption of European manufactures, and will in time end by completely superseding some of them. This consequence of the increase in the currency of Mexico is already beginning to be realised. For a long time we have had, if not many, yet very important manufactures of cotton and woollen fabrics, of paper, &c., and their number has been increasing the last few years. Last October a manufactory of cotton fabrics of all sorts was opened at Rio Blanco, near Orizava, on the Mexican and Vera Cruz Railway, the importance of which may be estimated by its having cost already above 5,000,000 piastres, that is to say, 25,000,000 francs. Besides this noteworthy example, we often find in our newspapers accounts of the establishment of new manufactures of various kinds; of metal foundries, some of them on a large scale, as those begun two years ago at Monterey and at San-Luis de Potosi, to utilise our argentiferous lead banished from the United States by an almost prohibitive duty; of manufactories of soap, of Portland cement, and of many other articles.

We are sure, then, that if our silver must desert the European markets we can utilise it otherwise, though to reach that goal we must endure some years of inconvenience and trouble which are inevitable in the radical change of a long standing and advantageous state of things. We shall have for many years the further use of our dollars in the markets of Asia, where for many years they will continue to be preferred to all other money. We shall be able to send them thither direct by the speedy completion, we hope next year, of the inter-oceanic railway across the Isthmus of Tehuantepec. This new route will considerably diminish the distance from Asia, not only for all American nations, but also for those of Western Europe. The passage also will have the advantage of a much better climate than that of Panama, and of the other inter-oceanic railways of America.

We have now endeavoured, according to our promise, to bring together the facts which should help you to form your opinion, and to propose to your Governments the means that you judge to be possible and desirable to cure the evil produced among all nations in a greater or less degree by the depreciation of silver. We repeat that we

have the fullest confidence that you will propose all that is compatible with the interests of the great nations you have the honour to represent, and with sympathy for those who suffer from the causes we have enumerated.

We hope also that your Governments, who have shown the respect they entertain for you by sending you to this important Conference, will ratify the wise and benevolent measures that you will submit to them as the fruit of your enlightened and beneficent labours.

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FIFTH SESSION.

Tuesday, December 6th, 1892.

MR. MONTEFIORE LEVI, President, in the Chair.

All the Delegates were present, with the exception of MR. TIETGEN, *Delegate of Denmark*, and MR. LARDY, *Delegate of Switzerland*.

The Session opened at 2 o'clock.

SIR RIVERS WILSON (*Delegate of Great Britain*) spoke, in French, as follows :—

Before approaching the Report of the Committee, which is to be the subject of our deliberations to-day, I wish to say that the views which I shall have to put forward are entirely shared by my honourable colleague, Sir Charles Fremantle, and that I am speaking in his name as well as my own.

In the first place I desire to recall to the Conference the attitude of Her Majesty's Government upon the monetary question. The invitation of the United States in its original form contemplated the meeting of a Conference to examine the possibility of establishing by international agreement a fixed relation between the values of the two precious metals. Her Majesty's Government did not find it possible to accept an invitation conveyed in terms which might give rise to misunderstanding by implying that there was some doubt as to the maintenance of the monetary system which has been in force in Great Britain since 1816. At the same time the commercial interests of Great Britain, as well as those of India and of the British possessions in the Far East, where silver alone is used, did not allow Her Majesty's Government to view with indifference the drawbacks resulting from the fall, and, more especially, from the fluctuation in the value of silver.

Her Majesty's Government therefore accepted the invitation of the United States in its modified form, that is to say, to consider what measures, if any, could be adopted for the purpose of increasing the use of silver as currency. The instructions which the Government has given to the representatives delegated in response to this invitation allow us great freedom of action, but at the same time we are not authorised, either by speech or by vote, to bind our Government to any particular course of action.

It is clear, I think, that all the Governments who have sent representatives to this Conference, even those who have instructed their Delegates to act with the greatest reserve, recognise the presence of a danger; otherwise there would be no justification for our presence here.

What then is the danger which is exciting the public mind? The note of warning has reached us from the United States; and it is, to say the least, doubtful whether the United States Government can possibly continue indefinitely the gigantic efforts which it has made without effect for so many years to maintain and to raise the price of silver. We need not inquire whether the policy which has governed the currency legislation of the great Republic of the West was wise in its conception; but it cannot be denied that it has not realised what was expected from it, and that it is in a great measure the cause of the position in which we at present find ourselves. In any case the suspension of silver purchases by the Treasury of the United States has become the practical question of the day, and that event might, under certain circumstances, lead to the suspension of free coinage of silver in India.

What are the results to which this double action on the part of the great purchasers of silver might lead? Certain high authorities believe that the sudden cessation of the purchase of silver in the United States, and the closing of the Indian mints, should these events actually occur, would lead to a heavy fall in silver and a disastrous disturbance of commerce. Others, again, contend that the fall in silver has been already

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in a great measure discounted, and that the removal of the uncertainty which at present weighs upon the market would have a tranquillising effect rather than the opposite, and would bring about that stability which is the great object in view.

Considering these divergent ideas, what is the conclusion at which we should arrive? On the one hand, no doubt, a plan might be worked out which would be more or less a continuation of the experiment of the United States, that is to say, an attempt to maintain artificially the demand for silver, in the hope of succeeding where the United States have failed; or, on the other hand, we may do nothing, leaving the ratio between gold and silver to settle itself under the influence of natural causes.

The instructions which we have received from our Government require us, before concluding that matters must be left as they are, to examine with the greatest care any plan which may be submitted for the purpose of extending the monetary use of silver. In order to avoid all misunderstanding, I desire, on behalf of Sir Charles Fremantle and myself, to make in the face of this assembly our profession of faith. Our faith is that of the school of mono-metallism pure and simple. We do not admit that any other system than the single gold standard would be applicable in our country. The only plans which have as yet been studied by the Conference are those of Mr. Moritz Levy and Mr. de Rothschild, and we are willing to admit that the adoption whether of one or both of these plans would perhaps not be incompatible with the principles which we hold. But it is not enough that these schemes would be defensible in principle. We have to ask ourselves this question, without entering at present upon the discussion of their merits or defects;—has either of those plans the least chance of meeting with such a preponderance of support as would justify the representatives of Great Britain in recommending Her Majesty's Government to take them into consideration? So far as concerns Mr. de Rothschild's plan, it can hardly be said that it has received such a measure of support. This fact, apart from other considerations, is sufficient to decide us to abstain from taking part in a discussion of detail which we know beforehand would be absolutely fruitless. There remains the proposal of Mr. Moritz Levy, which would involve the withdrawal of the half-sovereign. It would be equally useless for us to discuss this measure, since Great Britain would undoubtedly be unwilling to submit to the inconvenience of such a withdrawal unless it were presented in conjunction with a plan offering advantages which a preponderant majority of the Powers would recognise.

Proposals will no doubt be put before us. It is possible that a plan may be formulated which will obtain the support of the Conference. Provided that such a plan were not in conflict with the principles which we have laid down, we can assure the Conference that it would receive the most serious consideration from the Government which we have the honour to represent.

SIR WILLIAM HOULDSWORTH (*Delegate of Great Britain*) handed in a proposal, and asked that it might be printed and referred to the Examining Committee.* (Agreed).

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Sir William Houldsworth submits a proposal.
Mr. McCreary.

MR. MCCREARY (*Delegate of the United States*) read, in English, the following speech:—

MR. PRESIDENT AND GENTLEMEN OF THE CONFERENCE,

As one of the Delegates of the United States of America to the International Monetary Conference, I am much interested in its proceedings, and I am encouraged by the diligence manifested and by the large attendance to hope for good results.

When the Monetary Conference of 1878 first assembled at Paris, France, only twelve nations were represented, and when the Monetary Conference of 1881 first assembled at the same place only thirteen nations were represented; but when this Conference was first called to order on the 22nd of November 1892, in the beautiful and historical capital of Belgium, every seat was occupied, and twenty nations were represented. This was conclusive evidence of the deep interest taken by the leading nations of the world in monetary questions. It proved also that the commercial relations of different countries grow firmer and more intimate as years roll by, and in the liberal spirit of our age Governments and Peoples can unite in candid discussions and friendly intercourse, not only to preserve peace but to promote its arts, encourage its manufactures, and increase its welfare.

Political science shows that civilised nations constitute a great commercial commonwealth, and that evils or disasters which cripple or injure one nation will eventually be

* See Appendix A. to the Minutes of the Present Session.

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felt by other nations connected with it by commercial intercourse; therefore both wisdom and patriotism require such international action as will preserve, if possible, the welfare of nations.

It is admitted by all that the monetary situation of the world causes serious disquietude, and perhaps threatens disaster, and that the relations of gold and silver in respect of each other have not been good for nearly two decades.

Mr. Beernaert, Minister of Finance, in his address inaugurating this Conference, appropriately declared "those who will find a remedy for the difficulties and perils of the actual monetary situation will certainly have merited well of humanity;" and the distinguished President of this Conference, Mr. Montefiore Levi, in accepting his high office, said with much force that the Delegates had assembled "to find, if it exists, a means of palliating, by a more general use of silver in monetary circulation, the serious inconvenience from which every civilised nation suffers to a more or less degree." Whether the monetary situation has been produced by the demonetisation of silver in Germany or the limitation of coinage by the nations of the Latin Union, or by the increased production of silver in the world, as has been alleged, or by other cause, the fact remains the same, and a remedy is imperatively needed to remove the evils from which the nations of the world are suffering.

I appreciate the attention given by Mr. Alfred de Rothschild, of the British Delegation, to the important business of this Conference, and I am glad that he is so impressed with the necessity for some action concerning monetary questions, that he has suggested a "palliative" for existing conditions. His eminence as a financier and his prominence as an advocate of the gold standard gives to his proposition unusual importance, and illustrates the gravity of the currency crisis in Great Britain as well as in Europe.

I cannot, however, support the plan as presented by him. I cannot agree that it is a just or proper remedy for the American Government to continue to purchase silver bullion to the extent of fifty-four millions of ounces, yearly, at a price not exceeding one hundred cents to the dollar on the condition that European Powers make yearly purchases amounting to five millions of pounds sterling for five years at a price not exceeding forty-three pence per ounce standard, and if silver should rise above that price the purchases for the time being to be immediately suspended.

I cannot quite see why we in America should be required to pay if necessary one hundred cents to the dollar while European Powers only pay not exceeding seventy-three cents to the dollar, and the purchases to stop if silver should rise above that price. Under such conditions it seems an unequal distribution that we should be expected to purchase double the quantity of silver contemplated for Europe.

The object of the Conference should be not to fix a price which will keep silver below par but to enlarge the use of silver and restore to it the parity value it had with gold prior to 1873 when it was first outlawed.

The statement of Mr. de Rothschild that if the Conference should break up without arriving at any definite result there would be a depreciation in the value of silver frightful to contemplate, and out of which a monetary panic might ensue, is very significant, but his plan seems insufficient to meet the grave situation he presents and inadequate as a remedy for decreasing prices and distressed agriculture. The complaints of English Chambers of Commerce; the recent statement of Archbishop Walsh that "the adoption of bi-metallism or of some similar remedy, is a matter of imperative necessity, that is if the agricultural tenants of Ireland are not to be driven to inevitable ruin"; and the speech of Mr. Balfour, one of the ablest and most distinguished members of the British Parliament, in which among other things he said: "I believe the bi-metallic solution is possible and adequate I do say that the instrument of exchange which you actually have is a bad instrument, and I offer you for your acceptance an instrument which, if not perfect, is at all events practicable, and is incomparably better than any which you are likely to obtain by any other means of which I have any knowledge"; all these present the situation in Great Britain. It demands, and will receive after awhile, broader recognition and a better remedy than that suggested by Mr. de Rothschild.

I now wish to call the attention of the Conference to another plan which has been presented for consideration.

The President of the United States of America proposed an International Monetary Conference, in accordance with an Act of Congress which declared that the object of the Conference is to secure, internationally, a fixity of relative value between gold and silver as money by means of a common ratio between those metals with free mintage at such ratio.

The Delegates of the United States are ready, therefore, to co-operate with the Delegates of other nations in a candid and earnest effort to maintain the monetary function of both metals, and to this end, after submitting the general plan of bi-metallism favoured by the United States of America, we have submitted also the plan favoured by us as Delegates, which is as follows:—

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1. That the re-establishment and maintenance of a fixed parity between gold and silver, and the continued use of both as coined money of full debt-paying power, would be productive of important benefits to the world.
2. That these ends can be accomplished by removing the legal restrictions which now exist on the coinage of silver into full legal tender money, and restoring, by international agreement, the parity of value between the metals which existed prior to 1873 at such ratio as may be decided upon by this Conference.
3. That the essential provisions of such an international arrangement should be:—
 - (a.) Unrestricted coinage of both gold and silver into money of full debt-paying power.
 - (b.) Fixing the ratio in coinage between the two metals.
 - (c.) Establishing a uniform charge (if any) to the public for the manufacture of gold and silver coins.

This is a plain business proposition. If adopted, necessary details can be easily arranged. It announces no new theory, it proposes no untried system. It only opens the way for a return to the time-tried and time-honoured system under which gold and silver for so many years were at *par*, and were equal instruments of exchange. Acts of Parliament, Laws of Congress, Edicts of Monarchs, have changed the relative value of gold and silver. If silver is restored to all of its former privileges and power as money by international agreement on a fair and just ratio the parity of value between the metals will soon be established.

It should be understood that the American Delegation have no power to bind their country. We are authorised to consult with the members of the Conference for the purpose of elucidating or solving an important problem, and if we agree on a solution we will report the result to our Government, and Congress will take such action and give such validity to the work as seems proper.

That the situation in my country may be fully known, it is proper that I should say that the two great political parties of the United States have recently been involved in a struggle for supremacy. The election was held on the 8th of November, and Mr. Cleveland, the Democratic candidate, was elected President, but he will not be inaugurated as President until March 4, 1893. I am a Democrat, and I supported Mr. Cleveland when he was first elected President in 1884, and I supported him at the late election, and I believe our people, without regard to political parties, will generally endorse the plan submitted by the American Delegation.

On July 14, 1890, the silver bullion law now in force in the United States was passed. This Act compels the Secretary of the Treasury to purchase, from time to time, silver bullion to the aggregate amount of 4,500,000 ounces, or so much thereof as may be offered, each month, at the market price thereof, not exceeding \$1 for 371·25 grains of pure silver, and to issue, in payment for such purchases of bullion, Treasury notes of the United States in sums not less than \$1, nor more than \$1,000. These Treasury notes are redeemable on demand in coin, and when so redeemed may be re-issued. Other statutes declare that it is the settled purpose and policy of the United States to maintain silver and gold in circulation at *par* with each other.

This law is not entirely satisfactory to either party. The National Republican platform adopted at Minneapolis, June 9th, 1892, declares:—

“The American people, from tradition and interest, favour bi-metallism, and the Republican party demands the use of both gold and silver as standard money, with such restrictions and under such provisions to be determined by the legislation as will secure the maintenance of the parity of value of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal,”

and commends—

“the wise and patriotic steps already taken by our Government to secure an International Conference, to adopt such measures as will insure a parity of value between gold and silver for use as money throughout the world.”

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The National Democratic platform adopted at Chicago, June 22nd, 1892, opposes the Silver Bullion Act of 1890, and declares it is fraught with possibilities of danger in the future, which should make all of its supporters, as well as its authors, anxious for its speedy repeal, and asserts:—

“We hold to the use of both gold and silver as the standard money of the country, and to the coinage of both gold and silver without discrimination against either metal or charge for mintage, but the dollar unit of coinage of both metals must be of equal intrinsic and exchangeable value, or be adjusted through international agreement, or by such safeguards of legislation as shall insure the maintenance of the parity of the two metals and the equal power of every dollar at all times in the markets and in the payment of debts; and we demand that all paper currency shall be kept at a par with and redeemable in such coin, and we insist upon this policy as especially necessary for the protection of the farmers and labouring classes, the first and most defenceless victims of unstable money and a fluctuating currency.”

Speaking for myself only I express the opinion that the silver law known as the Act of 1890 now in force in my country will be repealed. It is possible this will be done at the present session of Congress. If not this session I believe it will be certainly repealed at the next session of Congress.

I have presented the situation in the United States on silver coinage and the declarations made by each of the great political parties when their respective candidates for President were nominated, so that the members of this Conference may understand exactly where we stand, and know that both of the great political parties favour bi-metallism.

The Delegates of the United States are not induced to present their plan or to attend this Conference by the fact that ours is a large silver-producing country. The Constitution of the United States confers on Congress the power to coin money and prohibits the States from coining money or from making anything but gold and silver coin a tender in payment of debts. Hence both gold and silver became the specie currency of our country from the very organisation of our Government. The first Mint Act adopted by our Congress in 1792 provided for the free coinage of both gold and silver on a perfect equality, and long before silver was produced in appreciable quantities in our country we had what is called the double standard. The United States as a nation has no interest in the working of silver mines or gold mines and raises no taxes from such products.

Our recent census shows the total value of the products of our agriculture, our industries, our mines and our forests, to have been in one year (1890) thirteen thousand millions of dollars, while the average production of silver for the last five years in the United States amounted annually to 50 millions of dollars commercial value. Our production of Indian Corn in 1891 is valued at 836 millions of dollars in round numbers. Wheat, 513 millions of dollars. Oats, 232 millions of dollars. Cotton, 302 millions of dollars. The product of pig-iron alone in the year 1890 was 151 millions of dollars, or more than double the value of the product of our silver mines and the product of our coal mines, in the same year was 171 millions of dollars, which is three times the value of the product of our silver mines, and our external commerce is becoming more extensive every year. As stated substantially by Senator Allison, it is to our interest and conducive to the happiness of the people to extend our production and enlarge our commerce; compared with them the products of our silver mines are not important, but the value of silver affects all of these products, all values and all exchanges of them, and it is because of the desire of our people and of our law-making power to rectify this evil and increase the money use of silver, and thus add to our prosperity and to the prosperity of other nations, that we are here.

The Monetary Conference of 1878 declared “that it is necessary to maintain in the “world the monetary functions of silver as well as those of gold.” After the lapse of fourteen years the truth of this statement is clearer and more impressive than ever before.

The demand for the enlarged use of silver grows with the world's growth in business and trade. The progress of the present age, the immense development of every kind, the numerous railways in both hemispheres, and the great fleet of ships laden with the commerce of the world, the telegraph lines making all commercial centres one market, and the rapidly growing tendency to international unity, imperatively require large and ever increasing amounts of money.

Neither the stock of gold now in the world nor the anticipated supplies from the mines is sufficient to meet the demand. In the United States of America, the largest gold-producing country of the world, the product of gold in 1891 was 33 millions of dollars. In the year 1878 the product of gold in the United States was 51 millions of dollars; in 1877 it was 46 millions of dollars; and in 1886 it was 35 millions of dollars. Last year it was 18 millions less than in 1878.

The annual production of gold in the year 1890 was 120 millions of dollars.

If from the world's annual product of gold there is deducted 60 millions of dollars, which according to Mr. Burchardt and Dr. Soetbeer is the annual consumption of gold in arts and manufactures there remains but 60 millions of dollars as the annual product of gold. I presume no candid and well-informed person will claim that this amount is sufficient to meet the increasing demands of the world.

Mr. Goschen has well said:—

“ A campaign against silver would be extremely dangerous even for countries with a gold standard. . . . If all States should resolve on the adoption of a gold standard would there be sufficient gold for the purpose without a tremendous crisis? ”

It is believed the product of silver mines has reached a maximum in the United States of America, and perhaps in the world. In the last five years the average production in the United States has been about 50 millions of dollars per annum, commercial value, and the Director of our Mint estimates a decrease this year of 6 millions of dollars. The commercial value of the products of the silver mines of the world for the last five years has averaged in round numbers 120 millions of dollars per annum. From this must be deducted 25 millions of dollars, the annual consumption of silver in arts and manufactures. This leaves only 60 millions of dollars of gold and 95 millions of dollars of silver to be distributed annually among the nations of the world, with the amount annually consumed in arts and manufactures increasing every year.

It is interesting to note in this connexion, after all that has been said about the rapid increase of silver and its fluctuations, that it can be quite clearly shown that the supply of gold has increased proportionately more than silver in the last forty-four years taken together, which embraces the period of marked increase of gold and silver; and that silver has fluctuated less than gold when compared with the prices of commodities.

In monetary questions there are certain axiomatic facts which have been repeatedly asserted and which are self-evident. Among those one of the most important is that the amount of money circulating in the country fixes the price of all property and labour which are exchanged for money.

Another is that the law of supply and demand applies as well to money as to all other things of value, so that if the amount of money is diminished in a country the reduced amount will have the same purchasing power and will buy as much land, labour and the products of labour, as the larger amount would have bought before it was reduced.

The owners and holders of money, bonds, and mortgages are directly interested in reducing the volume of money because it increases the purchasing power of their money or its equivalent. But the interest of the farmer, the labourer, and the producer demand a constantly increasing volume of money because the rate of such increase regulates the price of property and the wages of labour. The shrinking volume of money and the decreasing prices so much complained of unquestionably have a tendency to concentrate wealth and to enrich the few and impoverish the many. I believe gold mono-metallism helps the few who are rich, but hurts the masses. It makes gold more valuable and everything else, including silver, of less value. There is in volume nearly an equal amount of gold and silver in the world. When silver is stricken down the amount of coin is reduced and the result must be a diminished *per capita* amount of money and constant shrinkage of values.

If decreasing prices and depressed markets continue long, capital will finally be affected and it will find many of its channels of usefulness and profit closed. It is the real interest of capital everywhere that prosperity should bless all classes and that every industry should be remunerative. The time has come when the law-making powers of the world and the money-owning powers too should awaken to the fact that all people have rights, and that all proper steps should be taken that will benefit the great mass of mankind and push industrial, commercial, agricultural, and financial interests all forward together.

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In conclusion I desire to say that I believe the best aim of this Monetary Conference would be the general remonetisation of silver and the unrestricted coinage of both gold and silver into money of full debt-paying power with a permanent international ratio between the two metals of $15\frac{1}{2}$ to 1 or 16 to 1, and I prefer the latter. This, in my opinion, is the system which will give monetary unity and stability of the value of money and furnish the best remedy of which I have any knowledge for existing evils from which all civilised nations are now suffering.

Withdrawal
of Mr. de
Rothschild's
proposal.

MR. DE ROTHSCHILD (*Delegate of Great Britain*) informed the meeting that after the important declaration of the honourable Delegate of the United States he considered it his duty, out of respect to the Conference, to withdraw the plan which he had had the honour to lay before it. He took this opportunity of thanking all the Delegates for the goodwill and sympathy with which they had received his modest contribution to the solution of the complex and difficult problem which was before them.

He added that he was anxious not to waste the valuable time of the Conference. He had not submitted his plan to the United States Delegates before handing it in, but he had sounded them on the subject, and had believed that his proposal would be of a kind to give them satisfaction. One of them had just pronounced against the adoption of the plan, and it only remained for him to withdraw it.

He felt bound to express once more his most lively gratitude for the manner in which his intervention had been received.

THE PRESIDENT thanked Mr. de Rothschild in the name of the Conference for the attempt which he had made to find a ground of agreement. Before declaring that the plan was no longer to be included in the discussion, he asked whether any member of the Conference desired to take up this proposal, which had been under examination by the Committee, and which had only just begun to be discussed in full Session.

Mr. Sanchez
de Toca.

MR. SANCHEZ DE TOCA (*Delegate of Spain*) thought it necessary to bring out clearly two points which followed from the withdrawal of Mr. de Rothschild's proposal.

In the first place, he pointed out that Mr. de Rothschild's proposal was no longer the exclusive property of its author. It had become a part of the Report of the Committee, in which were included also other proposals of great value, and, in particular, the proposal for the withdrawal of small notes. This proposal ought still to be discussed, and even after the withdrawal of Mr. de Rothschild's proposal there remained other points of importance to be debated.

In any case, as Mr. de Rothschild's plan appeared to be finally excluded from the discussion, he thought it his duty, in the name of his entire Delegation, to indicate very precisely what their attitude with regard to it would have been.

He would refrain from dwelling upon the introduction which Mr. de Rothschild had prefixed to his plan, or upon the comments of the Committee, and would confine himself to the text of the proposal. The text, in the form in which it was drawn up, and in its essential points, deserved the complete approval of the Conference. It showed, in fact, a tendency towards raising the value of silver, the necessity for which was felt by public opinion in Spain with almost as great unanimity as in the United States. The Spanish Government had accepted the invitation of the United States not merely out of courtesy, but with the most lively desire to co-operate in adopting a satisfactory solution. The Government had contemplated the possibility of an agreement between the nations upon the monetary problems, which were a subject of such deep interest to all countries, and to all classes of society.

Whatever the results of the Conference might be, he was anxious to say, since opportunity had offered, that Spain would attach a high value to the initiative taken by the United States and to the courteous hospitality of the Belgian Government.

The Spanish Delegates, in laying before their Government the line of conduct which they proposed to follow, had pointed out that as no concrete proposal had yet been made they considered that the best mode of interpreting the opinion of Spain would be to receive favourably in principle any proposal tending to raise the price of silver. This tendency was to be found in Mr. de Rothschild's proposal, though in other respects perhaps it was inadequate. The Spanish Delegates, therefore, would have voted in its favour, though at the same time retaining the hope of seeing other proposals made in the course of the discussion—proposals which might give a prospect of more ample results.

Mr. de Rothschild's scheme had been charged with being no more than a simple palliative. It was precisely because of its empirical character that it could be taken into consideration without giving rise to purely theoretical discussions. It must not be forgotten that in all countries and in the world's market the monetary question could not escape from this argument in a circle:—Silver was depreciated because there was not free coinage, and the nations would not have free coinage because of the depreciation of silver. If by empirical measures, more or less open to discussion, it were possible to maintain and subsequently to raise the price of silver, a decisive step would have been made towards the final solution of the problem.

If, then, the proposal of Mr. de Rothschild was no longer to be included in the debate, it still remained to discuss the other points of the Report. The examination of those points might lead to a practical result of great importance.

THE PRESIDENT remarked that at the present moment the only question was with regard to the withdrawal of Mr. de Rothschild's proposal. The Report of the Committee dealt with other proposals which would as a matter of course remain under discussion. He thought it right to state that the Committee was already in possession of a proposal of Mr. Tietgen, that the proposal just handed in by Sir William Houldsworth would be brought before it, and that other plans might still be presented. The work of the Committee could therefore usefully be continued.

As no one requested to speak in order to take up Mr. de Rothschild's proposal, THE PRESIDENT announced the opening of the discussion upon Mr. Moritz Levy's proposal.

MR. VAN DEN BERG (*Delegate of the Netherlands*) read the following speech:—

Mr. de Rothschild's plan having been withdrawn, all that we have left of our Committee's Report is the examination of the Moritz Levy plan. But considering the declaration of the President, which appears in the Minutes of the last meeting, to the effect that there must be full liberty to treat the question from a general point of view, I do not think that I shall be out of order in submitting for your consideration a few remarks of a general but at the same time of a practical character, which are suggested to my mind by Mr. Currie's speech.

I do not think that I am mistaken as to the meaning of that remarkable speech if I sum it up thus, in a few words:—There is enough gold in the world, and matters will arrange themselves if they are allowed to take their own course. Do not let us obstruct by artificial devices the natural course of events. Let all nations try to keep their finances sound, and a good monetary policy will naturally follow.

Let us admit for a moment, gentlemen, that the honourable Delegate of Great Britain is right, that there is an absolute abundance of gold, and that, as I heard one of my colleagues on the Committee say, we are swimming in gold, because the cellars of all the central banks of Europe are full of it; but why then, I ask, do the advocates of gold, the mono-metallists, shrink from the natural and inevitable consequences of their theory and of their principle?

The virtue of a principle, in my opinion, is in its practical application. It is no use to say, "Perish our colonies but preserve our principle." I do not subscribe to such a doctrine, and I am suspicious of a principle when I am not prepared to accept full and complete responsibility for all its results. From this point of view, in the name of my colleague and of a very large majority of my countrymen, I accept freely, and without any reservations, the consequences of our bi-metallic theory. We, in Holland, are unanimous in the belief that, should an international bi-metallic agreement admit gold and silver to free coinage at a fixed ratio, the union between the two metals would be re-established, and would be maintained on a fixed basis, as in fact it was maintained during nearly three-quarters of a century, in spite of the extreme variations in the production of gold and silver respectively which took place in that period. I need not remind you, gentlemen, that from 1800 to 1820 silver yielded 75 per cent. and gold 25 per cent. only of the total value of the precious metals produced. Gradually the production of gold increased, while the production of silver continually diminished relatively to the production of the yellow metal; until, after the discovery of the Californian and Australian mines, the two metals arrived at a position exactly the reverse of that which I have just mentioned, for it was gold that now yielded 75 per cent. of the world's production, while silver sank to 25 per cent., and took the place which gold had occupied half a century before.

Well, notwithstanding this complete inversion of the respective production of the two metals, the ratio between gold and silver remained nearly fixed and steady, and I

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Berg.

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believe that that ratio would have been maintained permanently if the use of silver had not been proscribed by legislative enactments. It must be admitted that the increase in the production of silver, of which we hear so much, has only a very slight importance in comparison with the development in the production of gold towards the middle of the century which is now approaching its close.

These are the considerations, gentlemen, which strengthen us in our bi-metallic faith, and which make us willing to accept, as I said, without any reservation, all its consequences. But how do our opponents stand with regard to the principles on which they profess to base their opinions?

I need not point out, gentlemen, that the principle of gold mono-metallism presupposes a currency system of the kind which is to be found at the present time in England, and nowhere else. Under this principle gold is the sole legal tender, and silver coins are not legal tender to more than a certain very limited amount. The system of the "limping standard" (*étalon boiteux*), which is in force at the present time in almost all European countries,—that is to say, in the countries of the Latin Union, in Germany, and in Holland,—is directly opposed to the principles upheld by the mono-metallists. I ask you, gentlemen, whether among the advocates of mono-metallism there is a single one who would dare to take upon himself the responsibility for the results of his principle and to urge the demonetisation of the enormous masses of silver coin which still circulate as "legal tender," as lawful money, in France, Belgium, Italy, Germany, Holland, and elsewhere.

This is not the moment to occupy your attention with statistical details. You are all probably aware that, according to the researches of our learned colleague, Mr. de Foville, the amount of silver coin at present circulating in France is estimated at 2 or 2½ milliards of francs (80,000,000*l.* to 100,000,000*l.*), and I shall certainly not be erring on the side of exaggeration if I estimate at 3½ or 4 milliards (140,000,000*l.* to 160,000,000*l.*) the circulation of silver coin of full legal tender in the whole of Europe and in the colonies of certain countries, as, for example, those of the Netherlands.

Let us give every advantage to the gold party, and concede that the withdrawal of these enormous masses of silver might be carried out without difficulty, and that it would be easy to find all the gold necessary for replacing the silver which, according to the doctrine of the mono-metallists, must sooner or later vanish from circulation. But even in that case we should not have solved the great problem on which we are engaged, since it is not with European countries only that we are concerned. The question is not an European question merely, but a cosmopolitan question, which intimately concerns the interests of all nations, whether civilised or more or less barbarous.

In expressing this view I touch upon the side of the monetary question with which I have been specially concerned, since that question first arose. I need not remind you, gentlemen, of the important part which phrases often play in political questions. In the monetary question, as was justly remarked by Mr. Vrolik, one of the Delegates of the Netherlands at the Monetary Conference of 1881, people have been carried away by one of those sounding phrases which are quoted and re-quoted until in the end everybody repeats them without having formed any clear idea as to whether they are true or not. The phrase in this case is that gold should be the standard of the rich and civilised nations, silver that of the nations which are backward and uncivilised; that, in a word, gold is for the western peoples, silver for the eastern.

It is against this phrase, this proposition if you like, that I have always contended. For more than 30 years I have been occupied with monetary questions in general, and the posts which I have filled in the Dutch East Indies, as well as my present position at the head of the Bank of the Netherlands, have enabled me to study the monetary question under nearly all its aspects and in all its relations. During the whole of that time I have remained constant to the doctrine that of all the functions which money performs in the social organism, the most important is that which it performs as the standard of value. Whatever importance may attach to the use of money as a means of exchange between individuals and between nations, and whatever preference may, as civilisation advances, be given to the use of gold or to the use of silver, the supremely important point is that the standard of value, which exercises an influence upon all social and commercial relations—as was so well pointed out by our distinguished and courteous President in the speech which he made on taking the chair—should preserve not an absolute stability, for that would be contrary to the nature of things, but as great a relative stability as possible.

It was on these lines that more than 16 years ago I contested the proposition put forward by the lamented Victor Bonnet, in an article on the depreciation of silver which appeared in the "Journal des Économistes" for December 1875, to the effect that—

"The gold standard is in no way suited to the countries of the Far East, and those countries ought not to be included among the competitors who will have to struggle for their share in the annual production of that metal."

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My answer was contained in a letter dated Batavia, March 30, 1876. I refrain from inflicting it upon you, as it is rather long, but I hope that the Conference will agree to its reproduction *in extenso*, as an Appendix to the Minutes of the present Session.* In that letter I endeavoured to prove that the East could not withdraw with impunity from the general economic laws which govern the currency in the civilised countries of Europe; that there, as here, the nature of things is opposed to the maintenance as a measure of value of a metal subject to continual and violent oscillations in value; and that the East would find itself compelled to follow the general movement towards gold in order to escape from profound disturbances in its internal economic situation, and in its commercial and financial relations with foreign countries.

And now, gentlemen, I ask you whether any prediction was ever more completely fulfilled. We see British India struggling against the difficulties and dangers which have been produced by the inaction of their Government with respect to the measures which it might and, in my opinion, should have taken, in order to ensure the monetary standard of the country against the fluctuations and oscillations which have for long disturbed all business and all social relations. We know that the British Government has been compelled to open an inquiry to obtain information upon the present monetary position in India, and we have been informed by the declaration of Sir Guilford Molesworth, one of the Indian Delegates, that very serious attention is at present being given to the measures which should be taken for establishing the currency system of India on the same basis as that of England, namely, upon a gold basis.

Under these conditions, gentlemen, even supposing that no change is made in the present monetary policy of the United States, is it still possible to maintain the doctrine, I will not say of the abundance, but of the sufficiency of gold for the monetary use of the nations? For my part I am firmly convinced of the contrary. I cannot contemplate the future without terror, if we persevere in the path which Europe has unfortunately entered, by abandoning and proscribing silver and by relying upon gold alone for international exchanges. It is true, as the great poet Victor Hugo said, that "the future rests with no man, the future rests with God"; but of one thing I, for my part, am sure, that universal mono-metallism is, by the nature of things, an unattainable Utopia, and that universal bi-metallism is the only safeguard against the fatal results of the operation which mono-metallists propose to perform on the social organism, namely, to cut off the silver arm in order to cure the golden arm.

In borrowing this jest from the immortal author of the "Malade Imaginaire," I run the risk of being told that I am too anxious about an imaginary malady of the body social; but Mr. Allard's remarkable speech at our last meeting gave you the diagnosis of what appears to me to be a very grave and serious disease, and for the moment I cannot do better than endorse his admirable exposition.

SIR W. HOULDSWORTH (*Delegate of Great Britain*) read in English the following speech:—

Sir William
Houlds-
worth.

I do not know that any apology is necessary on the part of any Delegate to this Conference who rises to take part in its discussions. But I may perhaps be allowed to say that under ordinary circumstances I should have been quite content to allow one or more of my colleagues from Great Britain to represent the opinion of our country on the questions submitted for your consideration. I feel, however, that in more respects than one I occupy a peculiar position, and that on that account I have an individual responsibility laid upon me which I cannot devolve upon others, or share with my friends who sit beside me.

The declaration which has just been made by my colleague, Sir Rivers Wilson, makes it all the more necessary that I should speak on this occasion. In the first place I am, from my position and antecedents, more peculiarly identified with industrial and commercial life than any of my honourable colleagues, and I need scarcely stay to remark that it is industry and commerce in their widest aspects which

* See Appendix B. to the Minutes of the present Session.

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are most vitally interested in and will be most profoundly affected by the decisions at which this Conference arrives. In the second place, I have had the honour and the responsibility of sitting upon both of those important Commissions in England which were appointed specially to examine into questions intimately connected with that which we are called upon to discuss here. I refer to the Royal Commission on the Depression of Trade, which sat in 1885, and the Gold and Silver Commission which sat in 1887-8.

Now, with regard to the first of these Commissions, without going into details, I feel bound to bring before this Conference certain conclusions which appear in the Reports. The origin of the Commission was the widespread feeling in Great Britain, even so far back as 15 years ago, that a deep and abnormal depression of trade had set in, which, unlike previous depressions, showed no signs of recovery. All available statistics were brought before us, and a large body of evidence was taken. Conflicting opinions were expressed both as to the extent and as to the causes of the depression; but at last these five definite conclusions were arrived at:—1. That the depression dated from the year 1873 or thereabouts. 2. That it extended to nearly every branch of industry, including agriculture, manufactures, and mining, and that it was not confined to England, but had been experienced to a greater or less degree in all the industrial countries of the world. 3. That it appeared to be closely connected with the serious fall in general prices, which even then was most observable, though it has since been more strongly marked, resulting in the diminution—in some cases even the total loss—of profit, and consequent irregularity of employment to the wage-earners. 4. That the duration of the depression has been most unusual and abnormal. 5. That no adequate cause for this state of things was discoverable, unless it could be found in some general dislocation of values caused by currency changes, which would be capable of affecting an area equal to that which the depression of trade covered.

It was in consequence of this report and at the express recommendation of the Depression of Trade Commissioners themselves, that the Gold and Silver Commission was appointed to examine into the “recent changes in the relative values of the “precious metals.” I will not dwell on the Report of that second Commission, as I feel sure its main conclusions are within the knowledge of most, if not all, the Delegates at this Conference. It will be enough to say that it confirmed the findings of the previous Commission as to the date of the disturbance, as to the fall in prices, as to the effect of such fall upon all industries; and, in addition, it revealed the serious consequences which had resulted from the destruction of that par of exchange between silver and gold, at about $15\frac{1}{2}$ to 1, which had practically existed uninterruptedly for 70 years before 1873, the disruption of which had dislocated, embarrassed, and to some extent destroyed the trade between silver-using and gold-using countries and turned legitimate commerce into little better than gambling.

Now, my honourable colleague Mr. Bertram Currie has told you that “cheap goods, not dear goods,” have always been held to be “the conditions of profitable trade.” How, then, does he account for the fact that during the last 18 years an unprecedented fall in prices has taken place (not less than 30 per cent. as measured by seven independent sets of index numbers), and yet there never was a time when, by the testimony of all engaged in agriculture, manufacturing, and other trades, confirmed by the Reports of two Royal Commissions in England, and by investigations elsewhere, the profit-earning power of every industry has more seriously and persistently declined, leading, as such a state of things must inevitably and ultimately lead, to irregularity of employment, serious reduction in the rate of wages in every department of industry, accompanied by strikes and lock-outs and short time? It is perfectly true that before the great dislocation of values caused by currency changes in 1873, “cheap goods” (though I cannot admit they were ever the “conditions under which profitable trade” existed) did lead to profitable trade subsequently. Consumption was increased and prices again rose up to or above their previous level. Then as a result of previous cheapness there was profitable trade. In the old days in Lancashire, before 1873, when we had (as we have had for the last five years) cheap cotton, cheap bread, and cheap money, an advent of good times was as surely expected and as surely came as sunrise in the morning. But notwithstanding that we have enjoyed these advantages for a considerable time, we are still in the night of depressed trade. It is not apparent, on my friend’s own showing, that a new factor has appeared in the world of industry? Things are not as they were. The reason is plain; the foundation has given way upon which trade rests. The standard of value has been altered, and it is to rectify “the error in the compass” that we are here to-day.

Cheapness, it should be remembered, is a relative term. There is no such thing as positive cheapness. If the price of everything falls you may call it "cheapness" if you will, but no one is benefited. If the fall were uniform and simultaneous, including all commodities and services, in the same proportion and at the same time—rents on the one hand and labour on the other, previous obligations as well as new ones—then no one would be injured. It is only a matter of more or fewer counters. But when the proportion between money on the one hand and the things measured by money on the other hand is changed—no matter from what cause—the fall of prices which must and does occur, is unfortunately not uniform and not simultaneous, though no doubt it ultimately, over a long space of time, will be general. Hence comes the injustice and the evils of an unstable standard of value. The returns of the industrial classes are diminished without those simultaneous adjustments of fixed charges, which could alone make such a change harmless. I agree with my honourable friend that it is not the quantity of silver and gold which makes the wealth of a nation; it is its industries; and if by an appreciation of the standard of value the burdens of fixed charges upon industry are increased, while the money returns are decreased, the inevitable effect must be to paralyse and weaken that power of creating wealth upon which the prosperity of a nation depends.

We are told that the banking system of England is perfect. I am not concerned at this moment to deny it. But it is not the banking system which makes England prosperous, it is her industries and her commerce. What we want is a perfect system of currency, upon which those industries and this commerce may rest securely, and upon whose stability they can rely. The working classes in England now plainly see this to be a necessity. Hence the growing strength of the demand for international monetary reform which is finding a response in many influential quarters. I may refer as a striking illustration of this to Mr. Balfour's recent speech in Manchester, followed by Archbishop Walsh's weighty and lucid communication just conveyed to the press. This demand will be urged with increasing earnestness, and must ultimately receive the attention it deserves.

What is necessary for England is equally necessary for all the industrial nations of the world. Their interests in this matter are identical. Commerce is the great bond which unites all nations into one great international family, so that what prejudicially affects one must inevitably react prejudicially upon others. All, therefore, are equally interested in securing a common and secure basis for international trade.

It is said that "the appreciation of gold has never been proved." If there has been a general fall in gold prices that is the proof. The one expression is the converse of the other. They respectively imply one another. They are only two ways of stating the same fact. Metallic money as a medium of exchange, as the tangible payment of debts, may have decreased (as some assert); credit instruments may or may not have taken its place. But this is no answer. The broad fact still remains that a general fall of gold money prices has taken place (no one with the evidence before him can dispute that), therefore that of itself is all the proof required that the quantity of the commodity (gold) by which other commodities are measured has not kept pace with the quantity of the commodities which it measures. This can only be called an appreciation of gold. The course of silver prices further illustrates this point. There the measuring commodity (silver) has kept pace with the commodities which it is called upon to measure in silver-using countries. Therefore silver prices have not fallen. There has been no appreciation of silver.

I am glad to find that my honourable colleague, Mr. Rothschild, does recognise the "grievances" of India. I can assure him the grievances of the industrial classes in England, and not only in England but also in all gold-using countries, are quite as real and quite as serious. Indeed he seems to some extent to recognise this fact, for he proposes that "old contracts" should be revised. This is a stupendous proposal, because if it is fair in the case of Indian pensions it is also fair in the case of agricultural and other rents, and in the case of all fixed charges, including national debt, mortgages, and long leases, &c. But would it not be better to deal once and for all with the great disturbing cause, instead of with the effects, and make the world's standard of money uniform and as stable as it can be made. Professor Jevons in England, Professor Émile de Laveleye in Belgium, and others, have shown how this can be done. Professor Jevons's illustration of two cisterns of water makes the whole matter plain. The object is to keep the level of prices in the two cisterns of gold standard and silver standard countries as uniform as possible. The causes of variation are the changing proportions between the quantity of the standard metal coming in and the quantity going out in each cistern; in other words, between the supply and demand.

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So long as you keep the gold cistern and the silver cistern separate, you will always be liable to have the volume in each cistern at different levels; connect them with a pipe and you will ensure a uniform level, and, in addition, the effects of the complex and ever-changing variations of supply and demand will be reduced to a minimum.

In regard to Mr. de Rothschild's proposal, I personally feel very grateful to him for making it. In my opinion it deserves every consideration. At the same time I am bound to say that as a permanent remedy it is quite inadequate. What the results of its adoption might be it is impossible to forecast. One thing I feel certain of, it could not ensure, even though it might accidentally for a time give some stability to the exchanges between gold and silver. It might be a temporary palliative in the present situation. From the nature of the case it could be nothing more. In our present situation, however, and in view of the possibility of greater distress yet to come than any we have yet experienced, I am not disposed to turn my back on palliatives, on one condition, viz., that these are not accepted as remedies, that they are only applied temporarily for a short period to give us time to devote ourselves to working out a more enduring and a more complete solution.

Five years, in my opinion, is too long a time for any arrangement, such as Mr. Rothschild proposes, to continue in force. Twelve or eighteen months is long enough. If at the end of that time no more complete, satisfactory, and final system is adopted by the nations, then let us realise and understand the consequences of our present policy. Let us see if those are right who say there are no "great evils" impending upon the world from the disuse of silver as the standard of value." If in the next eighteen months we are not wise enough to adopt a scientific monetary system for the world's commerce, the logic of events will, I believe, force that system upon us at a later period.

THE PRESIDENT said that having received from Mr. Raffalovich a suggestion for the closing of the discussion upon the Levy proposal, he thought it his duty to point out that the two excellent speeches which had just been made had had no bearing upon the special subject of discussion, namely, that part of the report which dealt with the Levy plan. As he had foreseen, it was impossible for him to prevent the speakers from discussing general principles, but he would ask them to connect their remarks as far as possible with the discussion of the report.

MR. RAFFALOVICH (*Delegate of Russia*) endorsed the observations of the President, and did not press his motion for the closure of the debate.

MR. SAINTELETTE (*Delegate of Belgium*) made the following speech :—

GENTLEMEN,

My honourable colleague upon the Committee, Mr. Raffalovich, asked for the closure of the discussion upon the Moritz Levy proposal. I, on the contrary, ask that that discussion should be begun.

I have two observations to make on that particular subject, and I wish to address them to the Delegations of Great Britain and of the United States.

Sir Rivers Wilson's speech concluded with a refusal to entertain the Moritz Levy plan. This was a great disappointment for many of us, and for me in particular. I believe in the efficacy, to a certain degree, of the substitution of a milliard or a milliard and a half (40,000,000*l.* or 60,000,000*l.*) of silver for the small gold pieces which at present exist. As was said in Committee, these small pieces are detestably bad coins, for the simple reason that they wear three times as quickly, it is estimated, as the large 20 franc pieces.

I know that it is very difficult to fix precisely the life of these coins. It depends upon the stamp that they bear and upon the customs of different countries. Where money circulates rapidly, as in England, it is clear that coins will be worn away more quickly than in a country, such as France, where they are stored in the vaults of the Bank. It is, therefore, very difficult to say, generally, that a coin of a certain denomination and weight lasts for a certain number of years. It is possible, however, to ascertain the average life of coins, and the average is generally somewhat about 45 to 50 years. That, I think, is the figure accepted by Mr. Soetbeer; and Sir Rivers Wilson, who has made important researches upon the point, will no doubt be able to confirm it. The 10-franc piece is worn away three times as quickly. Its life is hardly more than ephemeral.

However limited the scope of the remedy which we are discussing may be, it would at any rate be a serious palliative to restore to healthy circulation the gold contained

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in these small coins, to the value of 1,500 millions of francs (60,000,000*l.*), and to replace it by silver coins of the same value.

The figure of 1,500 millions which I have mentioned, is, I think, under the true amount. Sir Charles Fremantle, who has seriously investigated the question, estimated in a report published two years ago that the stock of small gold coins in England amounted to 23,000,000*l.* On the other hand, our honourable colleagues of the Latin Union, the French Delegates, will certainly tell us that the 10 franc pieces struck in France, being less valued by dealers, have come back to the mint scales in much smaller numbers than the large gold coins. It follows that they form a considerable proportion of the gold coin now in circulation.

This being the case, it is disappointing and discouraging for a technical committee, appointed to examine schemes, to see the successive rejection of all the middle courses which it proposed, and of the palliatives, which might easily have furnished ground for agreement; the more so that it is very difficult to come to an understanding upon the great questions of principle. I think that I may make this last assertion without prejudging to any great extent the results of the principal discussion, which has been partly begun. It was possible that the Conference might, in accordance with the desire expressed by the Government of the United States, arrive at certain proposals by way of compromise. The Moritz Levy plan, which received the support of the Committee, is such a plan; and immediately there is an attempt to set it aside.

I do not clearly understand the reasons which are given. I do not see how the proposal withdrawn by Mr. de Rothschild is connected with the Moritz Levy plan. I am aware that the small gold coins perform a certain function in the currency, and that if they are withdrawn it would be necessary to replace them by other subsidiary coins; but if the 23,000,000*l.* of small gold pieces were withdrawn, is that a reason for taking up again Mr. de Rothschild's proposal? Certainly not. If Great Britain, for instance, should accept the idea of recoinage the 23,000,000*l.* of half-sovereigns, special purchases of silver would have to be made on her account, for the purpose of replacing by silver coin the gold withdrawn from the currency. I fail to grasp, therefore, the connexion between these two questions, and I should not be sorry if one of the British Delegates would be so good as to give us some explanation on this point.

That is my first observation. As I told you, gentlemen, I have a second question to ask of the Delegates representing the principal silver-producing countries.

After the first few sittings, the work of the Committee appears to be paralysed. It has considered the Moritz Levy plan; and other proposals will certainly be laid before us, and will deserve examination. But all such plans, it seems to me, if they are to have any chance of acceptance, must necessarily be of the nature of a compromise. They must prepare the ground for a sort of new bi-metallism—for a bi-metallism of compromise—instead of the absolute form of bi-metallism which the mono-metallists reject. With this in view, I fail to understand why the Delegates of the United States do not give us more assistance.

Many of these plans treat silver as a kind of merchandise, and involve the revision, from time to time, of its price. The result is that losses may be incurred, and it is natural to endeavour to estimate the probabilities of such losses, and to consider what means may be found for diminishing them.

Now, in the Committee, I had occasion to interrogate our honourable colleague, Mr. Cannon, when we were dealing with the first question treated in the Report. I explained that I could not support Mr. de Rothschild's plan because it proposed to organise a system of purchase, without any guarantee from the side of the producers. It was not even one of these producers' syndicates, which, in spite of all precautions, fall to pieces so soon as any one of the producers concerned leaves the ring. I asked, therefore, whether there was no means of limiting the production of silver other than the creation of a syndicate; for example, a tax imposed by law upon the metal.

I suggested this question and the Committee unanimously recognised that it took precedence of all other considerations, and that the question ought immediately to be put to the Delegates of the United States and of Mexico. This is the answer to the question, as recorded in the Report of Mr. Raffalovich and Mr. de Laveleye.

"Mr. Cannon said that the question of limiting production had been examined by the United States. It had been recognised that, under present legislation, there is no method of obtaining this end, and that a modification in this sense of the present law is improbable. The Federal Government has no direct or indirect interest in the production of silver mines. Furthermore, European capitalists are in large measure interested in the mines of the United States, and that complicates the question.

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"It would be very difficult to tax this production. It would be necessary to increase the customs inspection on the frontier between the United States and Mexico, and between the United States and the British Possessions. Smuggling of ore and metal would have to be guarded against. Interference of public authority in the rights of private individuals would not be tolerated in the United States."

In this declaration of Mr. Cannon—made, it is true, in his own name only—I do not see any obstacle to the establishment of a tax.

Our object is not only to maintain the equilibrium between the two metals and to put a stop to too rapid oscillations in value. Europe is overstocked with silver, and if we are asked to assist in any scheme, our strongest interest is to bring about a rise in the price of silver. It is not enough that it should remain stationary at a low price; if it rises, it is an additional advantage. But how are you to raise the selling price unless you raise the net cost of production? Now the way to raise the net cost of production is to impose a tax.

Such a tax has existed in certain countries. Here is the declaration of Mr. Casaus, taken again from the Report of the Committee:—

"Mr. Casaus agreed completely with what Mr. Cannon had said. In Mexico the considerable increase of production was due to the decrease of taxes, to the improvement of processes in mining and refining, and to the decrease in the cost of transport. Thanks to these various factors the production increased between 1874 and 1891 from 23 to 42 million dollars."

Here you have a clear demonstration that the true way of limiting production, of raising the price of silver, and of reaching that stability which we all desire, would be to take a thorough-going and serious step—I mean to establish a tax.

This is possible in Mexico. There is already a tax there. It was reduced from 30 per cent. to $7\frac{1}{2}$ per cent., and the result was a considerable increase in production. It would, therefore, be interesting to know whether the declaration made personally by Mr. Cannon is confirmed by the whole of the United States Delegation. He has told us that existing laws would not allow the imposition of such a tax. But every day new laws are made dealing with these matters, and there are many more unpopular taxes than a tax on silver mines—such as a tax on flour, a salt tax, and others. I do not see here any obstacle to the solution of the question.

As to Mr. Cannon's second argument, namely, that the interests held by European capitalists would be an impediment to such a tax, or would produce complications, I may be allowed to say that I was not aware that European interests were an object of such extreme solicitude on the part of the United States.

It would be very interesting then to have a formal declaration from the Delegations of the two countries which are the great producers of silver, and are therefore most deeply interested in the question. We in Europe, doubtless, shall feel severely the effects of any aggravation of the crisis; but if the price of silver continues to fall, the monetary circulation of the United States will be affected also, and there, too, the wealth of the community will suffer heavily.

If we come to the point, who is it who has gained from the immense development in the production of silver? It is the United States as a nation, and inhabitants of the United States as individuals. I would remind you of a phrase of Mr. Tirard's. When the programme of the United States Delegation had been communicated to us, Mr. Tirard declared that his first impression had been one of disappointment. This impression has been shared by many members of the Conference. It is not we who are the authors of the evil. The policy pursued by the United States has been unfortunate, and by it they have helped to create the present situation. They come now to the nations of Europe, and say to them: "Yes, the situation is bad, it is detestable, for you as well as for us. Help us. Let us take counsel together."

But what do they bring us? They do not offer any detailed scheme of compromise; and when we are willing to assist the price of silver by suggesting a tax, they tell us "It is difficult."

I urge the Delegates of the United States and of Great Britain, in their own interest, to make more satisfactory declarations. I make this suggestion as member of a Committee which is anxious to work, and to arrive at some result. The declarations of the British Delegates, on the one hand, and of the Delegates of the United States and Mexico, on the other, will tell us whether our progress must be blocked by an obstacle which may prove insurmountable. Our labours might even be

condemned to fruitlessness, because, at present, I do not see any compromise which could be seriously considered, unless it included the imposition of a tax upon silver.

SIR CHARLES FREMANTLE (*Delegate of Great Britain*) spoke as follows, in reply to Mr. Sainctelette:—

I have been asked why I declared in Committee that I could not recommend the British Government to accept the proposal of Mr. Moritz Levy without some compensation, that is to say, unless that proposal formed part of a general plan, approved by the various countries, for attaining the object we all have in view.

I think that our attitude on this point is absolutely logical. As Mr. Sainctelette has just said, we have a circulation of about 22,000,000*l.* or 22,500,000*l.* in gold coins of the value of 10*s.* Other countries are not in this position. Their circulation of corresponding coins is far less considerable. If Great Britain accepted the proposed plan she would be making a sacrifice out of proportion to that undertaken by others.

The Conference will doubtless understand that we are in a special position, and that I was right in making the declaration which I made in Committee. I have nothing to retract in that declaration, and I have nothing to add to the speech of my colleague, Sir Rivers Wilson.

Before sitting down I should like to ask my honourable colleague, Mr. Sainctelette, whether it is not the case that in Belgium there are no small gold coins in circulation, so that the adoption of the first part of the Moritz Levy scheme would cause no inconvenience to that country.

MR. SAINCTELETTE replied that as a matter of fact Belgium had no interest in the question; but that if she had minted small gold coins, he was convinced that she would have been none the less ready to adopt the proposal. The loss, or rather the expense of recoinage, was not great, and there was, on the other hand, the advantage of a renewed use of silver.

SIR CHARLES FREMANTLE, in conclusion, reiterated his former statement, that he would be unable to recommend to his Government the adoption of the Levy proposal unless that proposal formed part of a general plan, adopted in the first place by the Conference, and afterwards by an important group of Governments.

MR. CANNON replied, in English, to Mr. Sainctelette's observations as follows:—

I desire to reply to all the questions asked by the Committee on the point of knowing if, yes or no, the Government of the United States could limit the production of silver by duty or otherwise. There is but very little to add to the declarations that I made in Committee, and which have been produced in the Report. It is not more reasonable to tax the production of silver than that of copper or lead. The theory which admits of the collecting of such a duty is contrary to the spirit of the institutions of the United States, and the question immediately presents itself as to whether such a duty is in conformity with the Constitution. I say that Mr. Sainctelette seems to confound the two Governments of Mexico and the United States. The condition of things in these two countries is absolutely different, and I do hope that he will understand this clearly in dealing with the question of the duty on silver. On the other point, whether yes or no, the United States are responsible for the actual situation, and for the depreciation in the price of silver, I ask permission to say that I am not of the opinion of Mr. Sainctelette, for I believe that the contrary is true. Whether our laws of 1878 and 1890 have produced an effect or not, the United States have been alone, for many years, as regards the employment of silver as metal suitable for coinage. But guided by the experience of the Latin Union, we shall take great precautions in the future as regards the coinage of silver.

My colleagues will confide to me later on the duty of giving a complete and categoric reply to the declarations of Mr. Sainctelette and other persons, declarations which imply that the United States are responsible for the low price of silver, and for the present monetary situation. As regards the project of Mr. Moritz Levy, relative to the circulation of specie and of notes of a less value than 20 francs, I would remark that, as to myself personally, I believe the United States would be quite disposed to entertain the project approved by the Committee. We have, in reality, already put this same project into practice. For two years we have ceased to coin gold pieces of one and of three dollars, the striking of these coins having been abolished by law; and we have struck very few coins of two dollars and a half; one hardly ever meets with them in our circulation. The smallest gold coin now circulating is the piece of 5 dollars, which is equivalent to 25 francs. As to notes we have hardly any less than 20 francs. Our notes of one and of two dollars have almost all been issued

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against silver dollars, and are payable in silver, according to the very terms of the note. I have therefore voted for the Moritz Levy proposal in Committee.

MR. CASASUS (*Delegate of Mexico*) made the following declaration in reply to Mr. Sainctelette:—

The declaration which I made before the Committee was a personal declaration, but you may consider it as having been made by the Mexican Delegation as a whole. At the same time, we do not consider that we are authorised, as regards our Government, to say whether it is or it is not disposed again to increase the tax on the production of silver, which in the past produced serious results.

I think that I should point out to you that the constitution of Mexico is federal. Each State is free, and a sovereign State so far as concerns internal government, and consequently has, concurrently with the Federation, a power of taxation. The Government might be required, by a modification of the constitution, to impose new taxes determined beforehand, and in this way a federal tax might be added to the taxes at present existing in the various States. Such a step, however, might be disastrous to the Mexican producers, who might be unable to meet in foreign markets the formidable competition of the American producers. In any case it is not easy to carry into effect a modification of the constitution; though the attempt might be made, if the advantages in prospect were so great as to enable us to count on the consent of the various States of the Republic.

MR. BOISSEVAIN (*Delegate of the Netherlands*) would have liked to make some remarks after Mr. Sainctelette's speech; but he would produce them, together with other considerations bearing on the general question, when his turn for speaking came.

MR. ZEPPA (*Delegate of Italy*), who had asked leave to speak on the proposal of Mr. de Rothschild, which had to-day been withdrawn by its author, resigned his right provisionally, with the intention of laying before the Conference, at its next meeting, some considerations belonging to the general discussion.

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SIR GUILFORD L. MOLESWORTH (*Delegate of British India*) read, in French, the following speech:—

GENTLEMEN,

Our predecessors in the Paris Monetary Conferences of 1878 and 1881 were almost unanimous in the opinion that silver must be rehabilitated. They only disagreed on the method of rehabilitation. Some were of opinion that matters would right themselves, whilst others considered that the remedy could only come by re-establishing the link that had existed between gold and silver prior to 1873.

The opinion of the latter was undoubtedly correct. Matters have gone on from bad to worse, and now we are confronted by the fact that Mr. de Rothschild, the most renowned financier of the world, tells us that:—

“If this Conference were to break up without arriving at any definite result, there would be a depreciation in the value of silver, out of which a monetary panic would ensue, the far spreading effects of which it would be frightful to contemplate.”

Now this state of things was clearly predicted by Ernest Seyd in 1871, when the severance of the link between gold and silver was first contemplated. His prediction has been so remarkably fulfilled that I must quote his words:—

“It is a great mistake to suppose that the adoption of the gold valuation by other States besides England will be beneficial. It will only lead to the destruction of the monetary equilibrium hitherto existing, and cause a fall in the value of silver, from which England's trade and the Indian silver valuation will suffer more than all other interests, grievous as the general decline of prosperity all over the world will be. The strong doctrinarianism existing in England as regards the gold valuation is so blind that, when the time of depression sets in, there will be this special feature. The economical authorities of the country will refuse to listen to the cause here foreshadowed. Every possible attempt will be made to prove that the decline of commerce is due to all sorts of causes and irreconcilable matters. The workman and his strikes will be the first convenient target; then speculation and over-trading will have their turn Many other allegations will be made, totally irrelevant to the real issue, but satisfactory to

the moralising tendency of financial writers. The great danger of the time will be, that, among all this confusion and strife, England's supremacy in commerce and manufactures may go backwards to an extent which cannot be redressed when the real cause becomes recognised, and the natural remedy is applied."

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In fulfilment of this prediction, we find that the difficulties under which we labour have been attributed to all sorts of irreconcilable causes. It has been necessary to invent a theory that progress in manufactures, in improved transport, inventions, and banking, have caused a species of economic revolution which has created a new state in the conditions of trade and commerce, differing from that which previously existed. But they overlook the fact that the alleged causes have been in active operation during the greater portion of the century, and that, when compared with the previous progress, they were far more pronounced during the middle of the century than at present. It is obvious, therefore, that such a revolution, if it existed, should have arisen at an earlier period, and that it should have developed gradually, instead of setting in suddenly at the exact moment when the link was broken between gold and silver. Moreover, this theory involves another irreconcilable position. It is absurd to suppose that a revolution of this character could have affected gold prices so seriously, and yet should have left silver prices unaffected. Silver is the standard of value of more than half the world, yet silver prices have remained stable, whilst gold prices have fallen from 40 to 50 per cent. Whilst shutting their eyes to these facts, the advocates of such a theory are also blind to the following facts:—

1st. That the depression, which has occurred as a necessary consequence of the suspension of free coinage of silver in France, was predicted, and that the prediction has been fulfilled to the letter.

2nd. That since 1871 the population demanding gold has quadrupled, and the foreign trade demanding gold has trebled.

3rd. That the demonetisation of silver for international monetary purposes in Europe has caused gold to perform, single handed, the work previously done by gold and silver combined.

4th. That the annual supply of gold scarcely exceeds the amount required for industrial purposes.

It follows, a necessary consequence of these facts, that with the increased demand for gold, its value must rise, or, in other words, gold prices must fall.

The judicial blindness must be great which, ignoring this strong evidence of facts, seeks an explanation in irreconcilable theories.

A very distinguished member of this Conference has likened silver to a sick man, whose state has been but aggravated by the medicines which have been administered to cure him; but I think that this is not surprising, inasmuch as the physicians have not merely mistaken the character of the illness, but they have mistaken the invalid. It is gold who is the sick man, not silver. They have mistaken the bloated condition of gold for a symptom of health, whereas it is the symptom of a dangerous disease, which now threatens to develop into a fearful crisis, which, as Mr. de Rothschild says, "would be frightful to contemplate."

I am not one of those who believe in the efficacy of simple purchases of silver to relieve the situation. I have, for years past, publicly expressed the opinion that the purchases of silver under the Bland Act, and similar Bills, were opposed to the first principles of monetary science, and must, unless the true remedy be eventually applied, end in disaster, from which if the United States has up to the present escaped, it is because of the great expansion of their population and industry.

But it must be remembered that the relative prices of the precious metals, when not linked together by law, are influenced by confidence or mistrust, by certainty or uncertainty; and I hold that any substantial proposal in favour of silver, if adopted by the European Powers and the United States, would have a very powerful effect in producing stability or even in raising prices. It would reassure the public, and impress them with the conviction that the great Powers had decided that silver was not to be degraded in Europe; that they were of opinion that stability in the relative value of the two metals which form the standard of the civilised world is worth maintenance. And the effect would necessarily be entirely different from that of private speculation for the purpose of raising prices, or tentative legislative measures, tending towards the free coinage of silver, efforts which, in case of failure, must depress prices as much as they had previously raised them. Arguments based on such experiences are of no value in discussing the proposal before us.

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The Government of India, which I have the honour to represent, does not desire a rise in the value of silver. A sudden rise in its value would be as disastrous to it as a sudden fall. That which we require is stability. But the question of stability is not the only question which agitates us. The most serious question is, how are we to protect ourselves against a further fall? I would ask your patience whilst I explain frankly the situation of the Government of India, and the bearing of that situation on the question now before us.

The position of India is undoubtedly different from that of any other nation. She is to a great extent independent of foreign nations, inasmuch as she is not under the necessity of adjusting her international trade balances by actual transmission of specie, because she performs that operation by the transmission of merchandise. The accumulation of silver in the Indian banks has of late years been unprecedentedly large, so that no immediate inconvenience would arise to herself from closing her mints to silver. It was only as late as 1835 that gold ceased to be a legal tender in India, and although at that time the amount of gold in circulation was very much less than that of silver, still the remains of that currency must amount to a very large volume. Her net imports of gold since 1835 have amounted to about 150 millions sterling. India, therefore, would have no greater difficulty than Austria, even if as great, in establishing a gold currency in some form, whether it might be the "étalon boiteux," or one with the existing silver coins circulating as tokens, as in England.

It is unnecessary for me to enter into the details of the numerous and constantly recurring evils to which India is subjected, in consequence of the relative instability of the currency; but I may say that these evils are not merely financial, but political, seriously menacing her most vital interests. India has already too long postponed action necessary to protect her interests, hoping that some reasonable solution of the question might be arrived at, and a large and influential portion of our Indian community is now strongly urging the Government of India to take measures for adopting a gold standard. So long as there is any hope of arriving at a reasonable solution of this difficulty, I am convinced that my Government would shrink from the necessity of changing its standard; but of late the hope of such a solution has appeared more and more remote. Should this Conference break up without arriving at any definite result, then India must take immediate measures for her protection. Whether those steps will end in the stoppage of the silver coinage, and the adoption of a gold coinage in some form or other, I am unable to say.

I cannot disguise from myself that such a step is fraught with immense difficulties, the result of which it is impossible to foresee. The general feeling in India is that it would be disastrous to the gold-using countries of Europe rather than to India; but India must consult her own interests. The magnitude of the question may be conceived when it is known that the population of India exceeds 280,000,000 souls. It must be understood that in these remarks I have merely expressed my own personal opinion, and that I cannot in any way commit my Government to my views.

I must express my opinion that the only satisfactory solution of the difficulty is to be found in an international agreement on a bi-metallic basis, in which my Government would join the Latin Union and the United States. Such a combination would be amply strong to preserve any ratio that might be fixed. But as such a combination appears to be impracticable with the present temper of the Delegates, I am prepared to support any proposal tending towards that end as a step in the right direction.

If any proposal should hold out a reasonable hope of maintaining relative stability, it is probable that my Government would consent to take no steps towards closing the mints to silver. But the Government of India must reserve to itself complete freedom of action in regulating its system of currency.

With regard to the two propositions examined by the Committee as follows:—

1st. The withdrawal from circulation of gold money of a less value than the piece of twenty francs.

2nd. The exclusion of small bank notes of a less value than the piece of twenty francs, or of its equivalent, except notes representing a stock of silver.

It appears to me that, although this is a step in the right direction, and should be approved, as paving the way to a more complete solution of the question, yet considering the enormous volume of silver that has been demonetised for international purposes, and the great fact that the demand for gold has been quadrupled, the measure is miserably insufficient to effect any very appreciable solution. Nevertheless, I would support such a measure. It is a recognition of the illness of gold that these measures, though inadequate, are taken in the right direction, and it is to be hoped that when their inadequacy has been demonstrated, the only true remedy will be

applied, that remedy being a return to the double standard of France, which was withdrawn by restriction of mintage in 1873.

I desire to add some words in reply to the argument at the last session of the Congress of Mr. Bertram Currie, Delegate of Great Britain. I regret that I cannot share the opinion of so eminent an authority.

It is a popular belief in England that that country owes its commercial superiority to its monetary system. However, I have been unable ever to obtain a serious explanation from persons convinced of this theory, which has explained to me the rôle which gold plays in the accomplishment of this miracle.

The only plausible solution which has been offered is that all obligations payable in England are payable in gold, and that consequently this leads foreigners to seek bills of exchange on London, and that this attracts capital.

But this does not explain the phenomena, since during a long portion of the period in which England has had the gold standard, and notably in the period of our greatest prosperity, silver was more valuable than gold. Several distinguished economists declared that gold was good only for the dust-pan; others, even more distinguished, predicted that the sovereign would shortly fall to the value of 12s. or 14s., and this prediction would more than probably have been realised if France had not had the double standard.

Moreover, the argument requires to be examined, not only in the interests of the banker and financier, but also in the industrial interests. For this reason I should have preferred to have seen the industrial interests more strongly represented at this Conference. The banker manipulates currency, but the banker's client, representing the industrial interest, performs the more important work of spending it, and even admitting that the existing conditions of the currency may increase the business of the banker, it can scarcely be an advantage to the industrial interest that it should be under the necessity of discharging its obligations in the dearer medium of currency.

But it is an incontestable fact that the commercial superiority of England was established long before she adopted her gold standard. Alison, in his History of Europe, describing the rapid growth of wealth and prosperity in England at the commencement of this century, 15 years before the adoption of our gold standard, wrote that "the monopoly of almost all the trade of the world was in its hands."

We have that monopoly no longer; other nations are gaining on us "hand over hand." Our commercial prosperity is owing to the energy and determination of the Anglo-Saxon race, to our insular position, to our good harbours, to our two centuries of internal peace, and to our accumulated and accumulative capital; and this superiority has been maintained in spite of the disadvantage of our currency.

The monetary system of Europe as a whole has been from first to last a source of inconvenience and danger, and England has only been saved from serious disaster by the bi-metallism of France, notably at the time when the discoveries in California and Australia flooded Europe with gold.

Then Cobden and Chevalier urged that contracts should be made in some other standard than gold. It was predicted that the value of the sovereign would fall to 14s., and Chevalier even prophesied that the value of gold would decline 50 per cent.—predictions which would probably have been fulfilled had it not been for the equilibratory action of the double standard of France, which kept the ratio stable, and this prevented a disaster of unprecedented magnitude.

It must be evident to every one who has studied the subject that the English monetary system is most unsatisfactory. In 1828 Mr. Baring (no mean authority) pointed out the evils of our system, recommending a return to the double standard, which he showed to be less subject to those sudden jerks and changes so fatal to credit and to commerce. He urged that our single gold standard exposed the country to stringencies which cramped the currency and increased distress.

The Bank Act has on several occasions been either suspended or on the verge of suspension; and in 1858 Mr. Gladstone stated: "I cannot consent that the law should be suspended at intervals to meet these constantly recurring crises." The Bank Act, damaged in 1847, was utterly shattered in 1857. Our bank reserves are diminishing, whilst our liabilities are largely increasing. They are inadequate to the necessities of the country, and are too small as compared with the gigantic liabilities we have incurred.

In 1883 Mr. Williamson, M.P., called attention to the alarming manner in which the reserves of the Bank of England had diminished from our inability to maintain them, caused by the competition of foreign nations for gold.

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During the 10 years ending 1889 the proportion of cash to liabilities had fallen about 20 per cent. In the year 1881 the bank reserves were 41 millions sterling; in 1891 they had fallen to 24 millions.

During the seven years, 1883-90, the Bank of France only changed its rate of discount seven times, whilst the Bank of England changed it 62 times. The variations in France only amounted to 2 per cent., whilst those in England amounted to 4 per cent. Mr. Goschen, in the House of Commons, said: "I feel a kind of shame that, on the occasion of two or three millions of gold being taken from this country to Brazil, or any other country, it should immediately have the effect of causing a monetary alarm throughout the country."

Then came the Baring failure; and our weakness was shown by having to call France to our aid. The currency of France has weathered without difficulty storms to which the Baring failure was mere child's play; for example, the Franco-Prussian war, the Communistic struggle, the war indemnity, the failure of the Panama Canal, of the metal ring, and of the Comptoir d'Escompte.

In contrast to this I may quote from the speech of Mr. Goschen at Leeds his opinion on the gravity of the situation at the time of the Baring failure. On that occasion he said: "You risked the supremacy of English credit, the transfer of the business of this country to other European countries. I cannot exaggerate the immediate danger to which the country was exposed . . . You escaped from a catastrophe which would have affected every town, every industry; to use a common phrase, you have escaped by the skin of your teeth."

Mr. Giffen has stated that in almost every year since 1873 there has been a stringency of greater or less severity, directly traceable to, or aggravated by, the extraordinary demands for gold, and the difficulties of supplying them.

And finally, we have the declaration of Mr. de Rothschild, which threatens us with a monetary panic, "the far-spreading effects of which it would be impossible to foretell."

Fortunately, England, although her currency was nominally mono-metallic, practically enjoyed the benefits of bi-metallism until 1873, except when she had to depend on gold for replenishing her bank reserves, or when she had to make large remittances of silver to India; and then she had to pay for her folly in the shape of an agio for the privilege of choice of the particular metal she might happen to require urgently. If she could have satisfied her requirements by either metal, she would not have been put to this expense. But so long as Europe, as a whole, remained practically bi-metallic, England, in all her vagaries, was kept tolerably straight by the double standard of France, which preserved the ratio of gold and silver throughout the world until the link was broken in 1873.

I repeat, "It is gold that is sick, not silver;" and unless this fact be recognised by the members of this Conference it will be impossible to apply the proper remedy to the crisis which menaces us.

I beg to submit to the Conference an extract from a minute of Sir David Barbour,* the Minister of Finance of India, showing that the recommendation of Lord Liverpool for the adoption of a gold standard by England was based on false grounds, and that, instead of the disuse of silver being, as Mr. Bertram Currie has stated, "the survival of the fittest," it is merely the survival of a gigantic blunder.

I beg also to lay before the Conference the accompanying diagrams which I have prepared†; and in doing so I would draw particular attention to diagram No. 3A, because it shows at a glance the instability of gold, and the stability of silver; or in other words the dangerous illness of gold, and the sound health of silver.

Questions as
to proceed-
ings of
Committee.

CARATHEODORY EFFENDI (*Delegate of Turkey*) made an observation with reference to the Report of the Committee. He said that when the Committee had been appointed by the Conference it had been agreed, after an exchange of views, that the Delegates serving upon the Committee should be indicated by their names merely, without any mention of the States which they represented. This was done perfectly correctly in the Minutes of the Third Session.

In the last paragraph of the Committee's Report he found the following phrase, stating that the President had abstained from voting, and giving the reason of that abstention:—

"Belgium being represented in the Committee by one of his colleagues, the President desired to make no use of his right to vote."

* See Appendix C. to the Minutes of the Present Session.

† See Appendix D. to the Minutes of the Present Session.

This phrase appeared not to be consonant with the decision which had been taken, and the honourable Delegate asked whether the President agreed with him on this point.

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Questions as
to proceed-
ings of
Committee.

THE PRESIDENT, in answer to Caratheodory Effendi, explained the scruple which had influenced him. As some of the nations represented at the Conference had no Delegate on the Committee, he was unwilling that Belgium should make use of the double vote, which, under special circumstances within the knowledge of the Conference, was at her disposal. He remarked further that the negative vote which he would have thought it his duty to give on the proposal of Mr. de Rothschild would not have changed the result of the vote, but would have only increased the majority against the plan.

CARATHEODORY EFFENDI moved that all proposals, of which the Committee undertook the examination, should be immediately printed and distributed to the members of the Conference. (Agreed.)

He further asked whether, without violating precedents, it would not be possible for all the Delegates to be admitted to hear the proceedings of the Committee, and even to take part in them, with the exception of voting.

THE PRESIDENT took the opinion of the Conference on Caratheodory Effendi's proposal, which was not accepted.

The Session adjourned at half-past 5 o'clock.

APPENDIX A. TO THE MINUTES OF THE FIFTH SESSION.

APPENDIX A.

PROPOSAL of SIR WILLIAM H. HOULDSWORTH, Bart.

Sir W.
Houlds-
worth's
proposal.

This Conference having been called together for the purpose of considering "what measures if any can be taken to increase the use of silver in the currency systems of nations," it appears to be the plain duty of each member, whatever his prepossessions may be, to endeavour to suggest any scheme of a practical character which offers any chance of favourable consideration, even though it may not be as complete or as perfect as he could wish to see adopted. As a bi-metallist, I believe there is only one scheme which fully meets the requirements of the case,—one only which would be completely and permanently successful—viz., "International Bi-metallism."

This opinion I am induced to believe is entertained by a majority of the Delegates present, if not indeed by a majority of the nations represented. But I am fully aware that a contrary opinion is held in several influential quarters, and by countries who demand our respect, and whose opposition or indifference at the moment may present obstacles to the establishment of a general international arrangement for a joint standard on a uniform system.

Under these circumstances though I maintain that International Bi-metallism in which all the important nations of the world joined and took their full part is sound in principle and would be safe in practice, I recognise that an agreement to carry that principle into effect as a complete system may not as yet be possible.

At this juncture, therefore, I venture to submit the following proposal for the consideration of the Conference in the hope that it may receive support from those who advocate bi-metallism and also from those who in the meantime prefer a single gold standard.

The proposal is not new. It was brought forward under very similar circumstances in England, by Mr. Huskisson, one of the Ministers of the Crown, in 1826. It appears in a paper written by him for the consideration of the British Government dated February 8th of that year.

It presupposes that one or more nations have their mints open to the unrestricted coinage of both gold and silver into full legal tender money at a fixed ratio. In 1826 France was the only European nation which had its mints so open.

At the present time I hope I am right in assuming that at least France and the countries of the Latin Union and the United States of America would under certain conditions be willing to enter into an International Bi-metallic Union.

If so, it only remains to consider how far other nations which prefer a single gold standard could support the countries which might enter into such union, and whether the support suggested in this proposal would be deemed by the Delegates at this

FIFTH
SESSION.

APPENDIX A.

Sir W.
Houlds-
worth's
proposal.

Conference as sufficient to justify its being laid before their respective Governments for consideration.

The proposal is as follows:—

I. That a Bi-metallic Union should be formed by the nations which are willing to enter into such agreement.

II. That these nations which at present decline to join such an union might retain their single gold standard and token currency in any form they prefer. But that they should undertake to establish the following arrangement or one similar in principle:—

(A.) That the mints should receive the deposits of silver bullion tendered for that purpose and should give a receipt or receipts according to a prescribed form for the same. Each receipt to specify in ounces the quantity of silver of standard fineness which it represents and its equivalent value in gold at a specified rate per ounce, to be determined by international agreement.

(B.) No deposit to be received of less than a fixed minimum number of ounces.

(C.) The quantity of silver specified in the receipt to be delivered by weight to the bearer thereof whenever he might call for the same and in no other manner and on no other account whatsoever.

(D.) These receipts to circulate as money in all transactions.

The practical effect of this scheme would, I trust, be to re-establish the bi-metallic system over a sufficiently large area to ensure its maintenance. In the countries which still retained a gold standard,—though their mints might not be open to the unrestricted coinage of silver into full legal tender coins at the ratio agreed upon—the receipts for the deposited silver bullion would, I should expect, pass into circulation at par, and be used as Bank reserves. So long as the Bi-metallic Union kept their mints open to the unrestricted coinage of silver, the ratio would, I firmly believe, be maintained both between the gold and silver coin in the countries comprised in that Union and between the gold and silver deposit receipts in the other countries.

APPENDIX B.

APPENDIX B. TO THE MINUTES OF THE FIFTH SESSION.

Letter of
Mr. van den
Berg.

LETTER OF MR. VAN DEN BERG.

Sir,

Batavia, March 30, 1876.

ALLOW me to offer you a few observations in connexion with your Essay on the Depreciation of Silver, in the number for December 1875 of the "Journal des Economistes."

In agreement with the authorities that are best acquainted with the subject, you lay down as a fact a view which appears to me extremely open to question, namely, that a gold standard is in no way suited to the countries in the far East, and that those countries should be excluded from the number of competitors who will have to struggle for their share in the annual production of that metal.

I might agree with you, if we had to deal with countries isolated from the rest of the world, as was formerly the case with Japan, where, for centuries possibly, silver was able to maintain a value in exchange for gold three times as great as that which it had elsewhere.

But from a commercial and financial point of view the far East is only a part, important certainly, but still subordinate, of the general money market, with which it is intimately connected by operations of exchange, and by the transmission of bullion. The rates of exchange in the far East are influenced by the depreciation of silver in precisely the same manner as the rates are affected in western countries which have kept silver as the sole basis of their currency.

I do not deny that silver money is better suited to the special requirements of the East than is a currency with a gold basis. On the contrary, it will require an effort, perhaps a considerable effort, to accustom Orientals to accept gold as legal tender. But I am not prepared to admit that it is therefore necessary that the East should continue to employ as the basis of its monetary system a metal which has now lost the essential and indispensable quality of a standard of intrinsic value in consequence of the gradual depreciation that we see in progress.

Of two evils it is best to avoid the worst; and for my part I hold that the instability of the standard still used in this part of the world is more formidable than the difficulties that may beset the introduction of gold as a medium of currency among peoples that have hitherto only used silver.

If this is the case, the solution of the great monetary problem which has occupied all serious minds for some years past depends finally on ascertaining whether the silver requirements of the far East will always be sufficiently strong to hold in check the gradual depreciation of the metal. If an affirmative answer can be given, we need not be uneasy about the future. Sooner or later silver will recover its normal value, and no one will dream any longer of getting rid of it for good and all, in countries where currency requirements are better answered by silver than by the metal which is preferred by the more civilised nations of Europe.

But if, on the other hand, the answer must be in the negative, the present situation becomes most serious. The East cannot with impunity withdraw from the influence of the general economic laws which govern the currency in the civilised countries of Europe. There, as elsewhere, the nature of things is opposed to the maintenance, as standard of value, of a metal subject to continual and violent oscillations in price; and, in spite of the arguments of the "Economist," in its number of September 11th last, and of Mr. Stanley Jevons, in his recent book on "Money and the Mechanism of Exchange" (page 142), the East will find itself compelled to follow the general movement towards gold, if it desires to avoid profound disturbances in its economic position at home and in its commercial and financial relations abroad.

The loss incurred by the Indian Treasury on the sum which it has annually to pay to the home Treasury already amounts to millions of rupees. This loss is one of the heaviest charges of the Indian Budget. It falls ultimately upon the taxpayers, and indirectly makes them suffer. Nothing can be more natural, then, than that many voices should already have been raised in India in favour of the gold standard. The Director of the Bombay Mint, Mr. Lewis E. Hynes, has published in the "Bombay Gazette" of the 17th and 18th August 1875, an article showing that the immediate adoption of gold as standard of value has become an absolute and imperative necessity.

According to him, silver may remain in use as small change, to supplement the gold; but the public must not be allowed to coin it freely; so that the importation of that metal will cease, and gold alone will be used to liquidate the balance which is generally due from Europe to the East.

In this way it is possible that India, too, may be found among the competitors struggling for their share in the production of gold; and, in that case, the monetary question will enter upon a stage far graver than any previous ones. The theory of the insufficiency of gold, which you have successfully attacked by confining yourself to the needs of the peoples of Europe, will assume an entirely different aspect when we have to deal with an additional annual demand of 100,000,000 francs, perhaps, for the needs of the East. A general appreciation of gold will be the necessary consequence.

The prices of all commodities which are exchanged for gold will fall. The metal which, by an irresistible force, will be introduced everywhere as the sole standard of value, will become rarer and rarer (if the production of the metal remains at its present level), and I do not think that it is absurd to fear that the scarcity of coin will impede production generally to the same extent as the growth of the stock of metals has stimulated it during the last 25 years.

However that may be, it cannot be denied that the monetary question has an essentially cosmopolitan character, and that any solution which considers only the needs and the interests of the nations of the West will necessarily be defective. I will not dwell now upon the subject, which I have just examined minutely in an essay which your learned compatriot, M. Esquirou de Parieu, has kindly mentioned in the pamphlet on "La politique française dans la question monétaire," which he published in 1875. In submitting the preceding considerations to your enlightened judgment, my only aim has been to draw your attention to a neglected side of the problem, since I am convinced that we run a great risk of arriving at conclusions which are, at the least, doubtful, if we continue to take as our motto the poet's advice: "glissez, mortels, n'appuyez pas."

V. d. B.

Monsieur Victor Bonnet,
Paris.

FIFTH
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—
APPENDIX B.
—
Letter of
Mr. van den
Berg.

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SESSION.

APP. C.

Note by
Sir David
Barbour.

APPENDIX C. TO THE MINUTES OF THE FIFTH SESSION.

EXTRACT from a NOTE by SIR DAVID BARBOUR dated October 20th, 1887.

IN no portion of Lord Liverpool's "Treatise on the Coins of the Realm" is there any allusion to—

- I. The Treasury Order of 25th October 1697, directing that the guineas should be taken at 22s. each;
- II. The Council Order of 8th September 1698, referring the question of the high rate of the guinea to the Council of Trade;
- III. The Report of the Council of Trade, dated 22nd September 1698;
- IV. The Resolution of the House of Commons on that Report;
- V. The Orders of the Treasury to receive the guineas on public account at 21s. 6d. each, "and not otherwise."

With the publication of these documents falls Lord Liverpool's statement that the English people, by general consent and without any interposition of public authority, attached a higher value to the guinea after the great re-coinage than the market value of gold would justify; and with the fall of the alleged fact must disappear the conclusion drawn from it, namely, that with the increase of wealth and commerce the English people in 1698 had come to prefer gold to silver. And with the disappearance of this hypothesis there disappears the only evidence brought forward in support of the theory regarding the progress of wealthy countries from silver to gold, which Lord Liverpool invented in order to overthrow Locke's opinion that "gold is not the money of the world, or measure of commerce, nor fit to be so."

Lord Liverpool's theory may, of course, be sound, though the facts on which he relied in 1805 were imaginary; on the other hand, it may fairly be said that it was the acceptance of the theory on the authority of Lord Liverpool which brought about in the nineteenth century that state of affairs which is now held to prove the soundness of the theory. His account of the matter did not deceive Ricardo, who distinctly says that it is not because gold is better fitted for carrying on the circulation of a rich country that gold is ever preferred to silver for the purpose of paying debts, but simply because it is the interest of the debtor so to pay them. The Orders which fixed the value of the guinea at 21s. 6d. made it the interest of all debtors to pay in gold, and made the metal the "principal measure of property" in England.

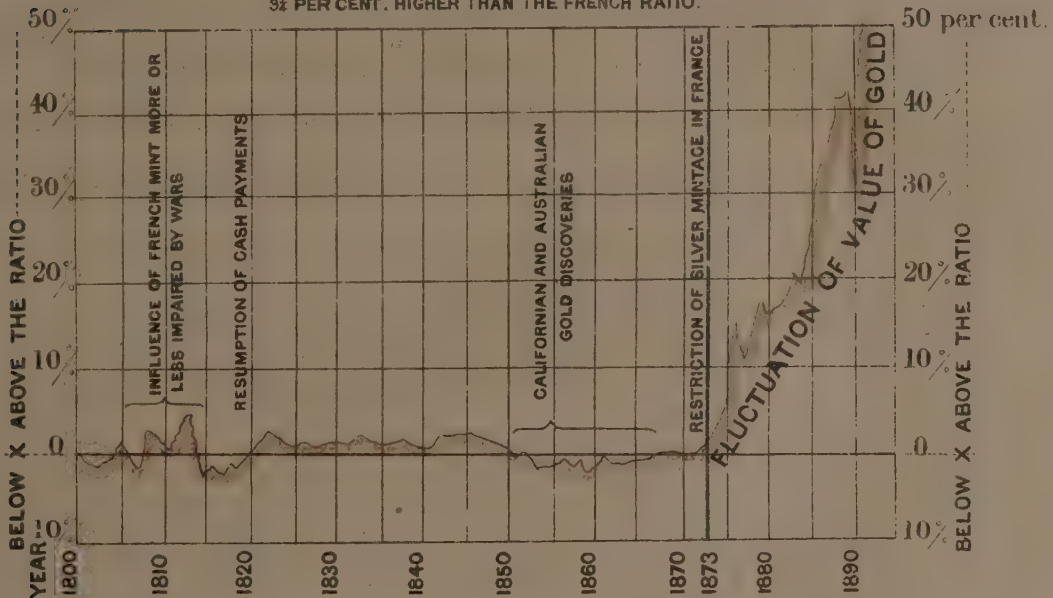
How Lord Liverpool, or those who acted under his orders, came to overlook the existence of the documents which I have quoted, and which at that time would have destroyed the basis of his argument, is unaccountable.

BRUSSELS MONETARY CONFERENCE

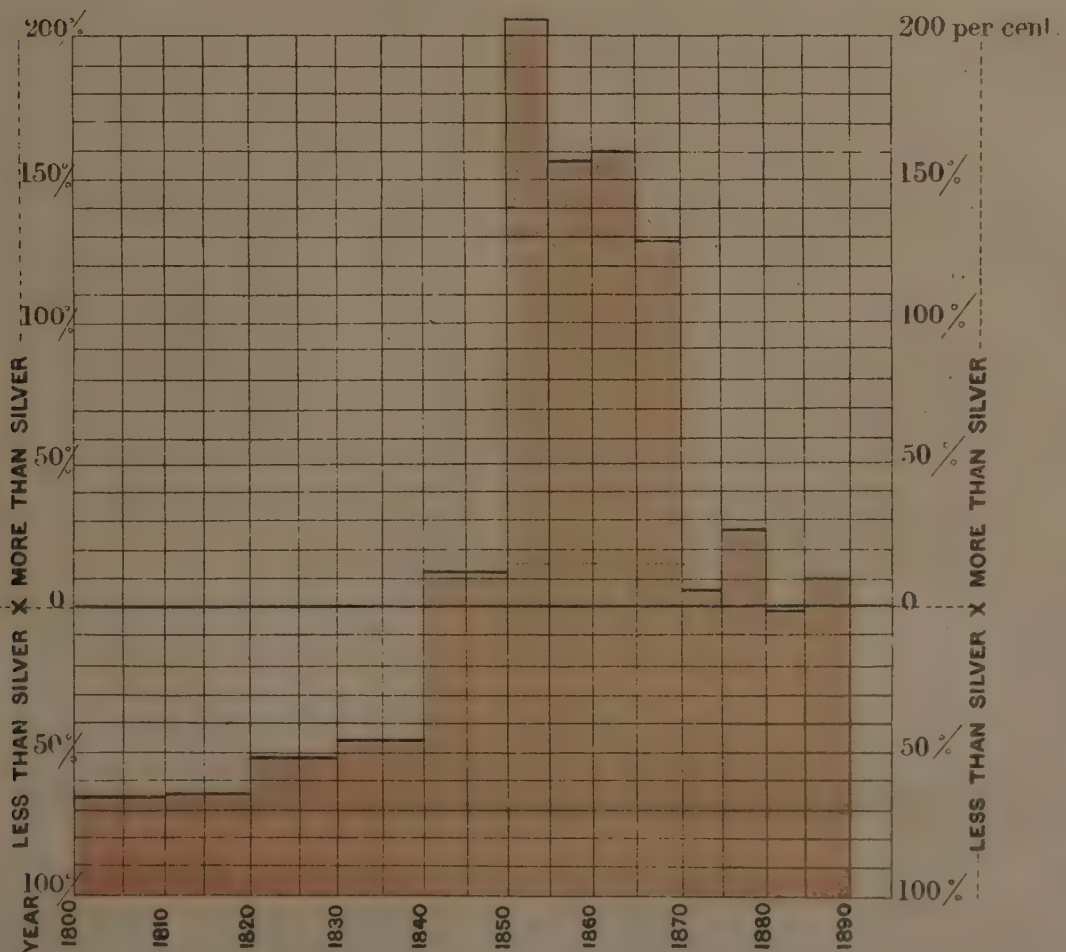
DIAGRAM PREPARED BY SIR GUILFORD MOLESWORTH No. I

ANNUAL AVERAGE FLUCTUATION IN THE VALUE OF GOLD MEASURED BY SILVER
PER CENT. ABOVE OR BELOW THE FRENCH MINT RATIO OF $15\frac{1}{2}$ TO 1

NOTE BETWEEN 1800 AND 1834 THE UNITED STATES MINT RATIO
WAS $3\frac{1}{2}$ PER CENT. LOWER, AND BETWEEN 1834 AND 1873
 $3\frac{1}{2}$ PER CENT. HIGHER THAN THE FRENCH RATIO.



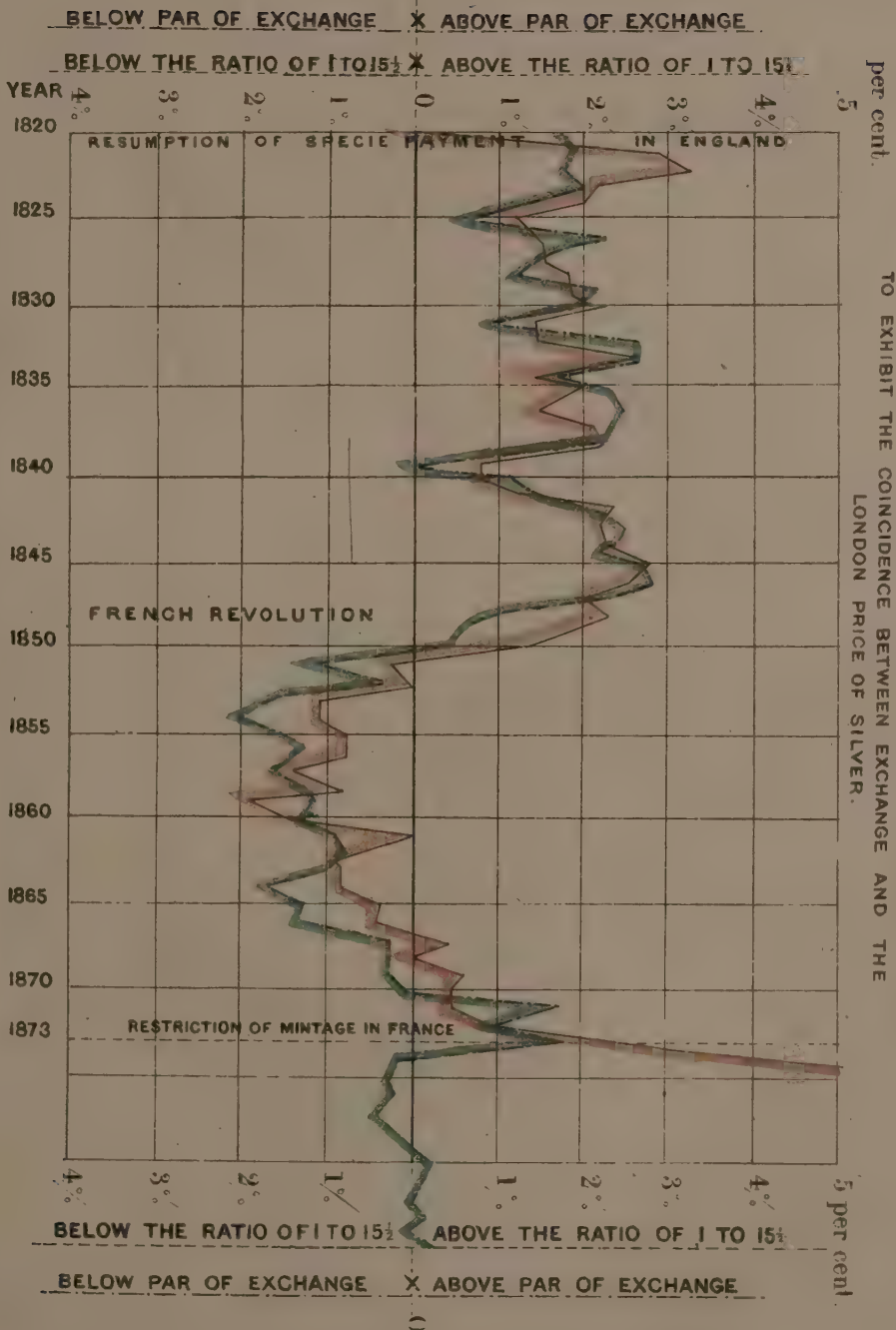
RELATIVE PRODUCTION OF GOLD (IN VALUE)
MEASURED BY THE PRODUCTION OF SILVER



BRUSSELS MONETARY CONFERENCE

DIAGRAM PREPARED BY SIR GUILFORD MOLESWORTH NO. 1A

BEING A PORTION OF DIAGRAM N° 1 TO A VERY EXAGGERATED SCALE
TO EXHIBIT THE COINCIDENCE BETWEEN EXCHANGE AND THE
LONDON PRICE OF SILVER.



FLUCTUATIONS IN THE LONDON PRICES OF GOLD ABOVE OR BELOW THE RATIO 1 TO 15½

FLUCTUATIONS IN EXCHANGE BETWEEN LONDON AND PARIS DENOTED THUS

THE VERTICAL DISTANCE APART OF THESE TWO LINES YEAR BY YEAR REPRESENTS THE DIVERGENCE

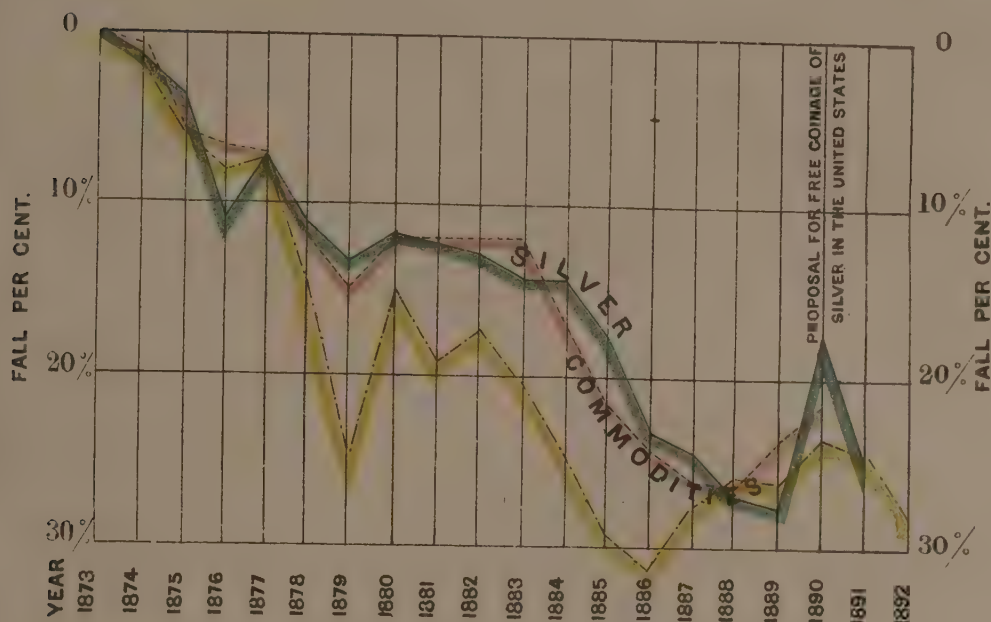
FROM THE RATIO OF 1 TO 15½ AFTER CORRECTION FOR EXCHANGE

BRUSSELS MONETARY CONFERENCE

DIAGRAM PREPARED BY SIR GUILFORD MOLESWORTH No. 2

FLUCTUATIONS IN THE PRICE OF COMMODITIES AND SILVER MEASURED BY GOLD

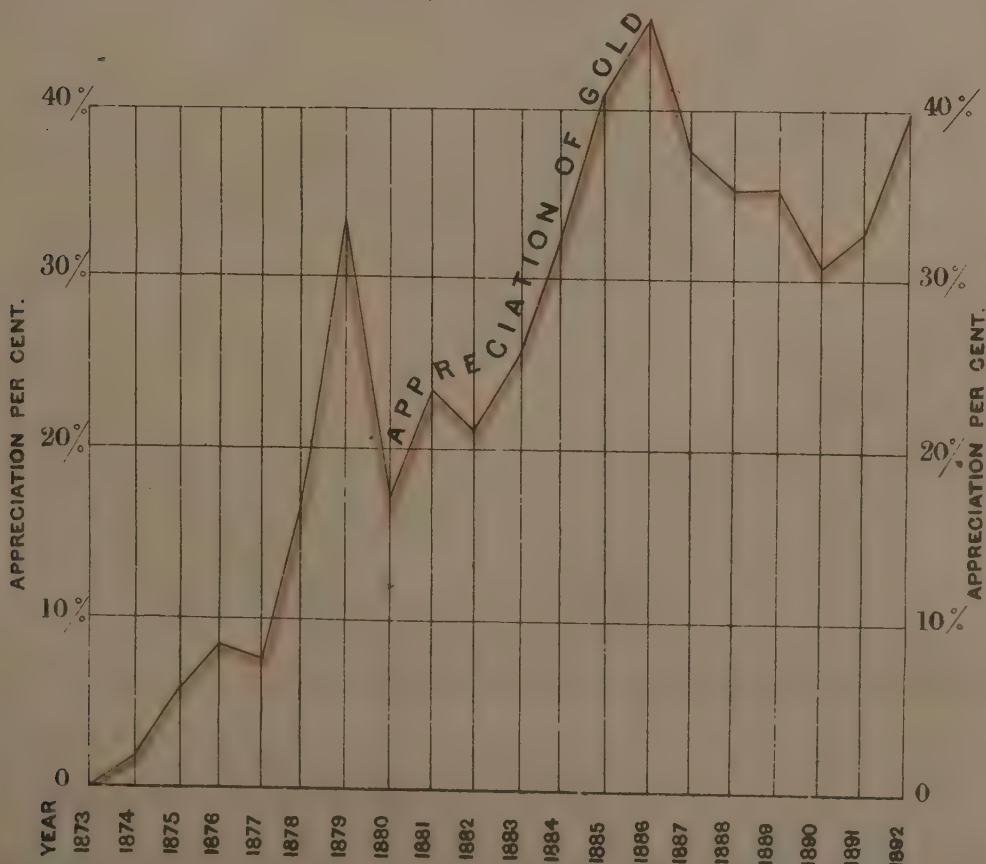
THE LINE ——— REPRESENTS THE ECONOMIST INDEX-NUMBERS FOR THE WHOLESALE PRICES OF 22 PRINCIPAL ARTICLES IN THE LONDON MARKET. THE LINE ——— REPRESENTS DR. SOETBEER'S INDEX-NUMBERS FOR THE PRICES OF 100 HAMBURG ARTICLES, AND 14 OF BRITISH EXPORT

Prices of 1873 taken as Zero

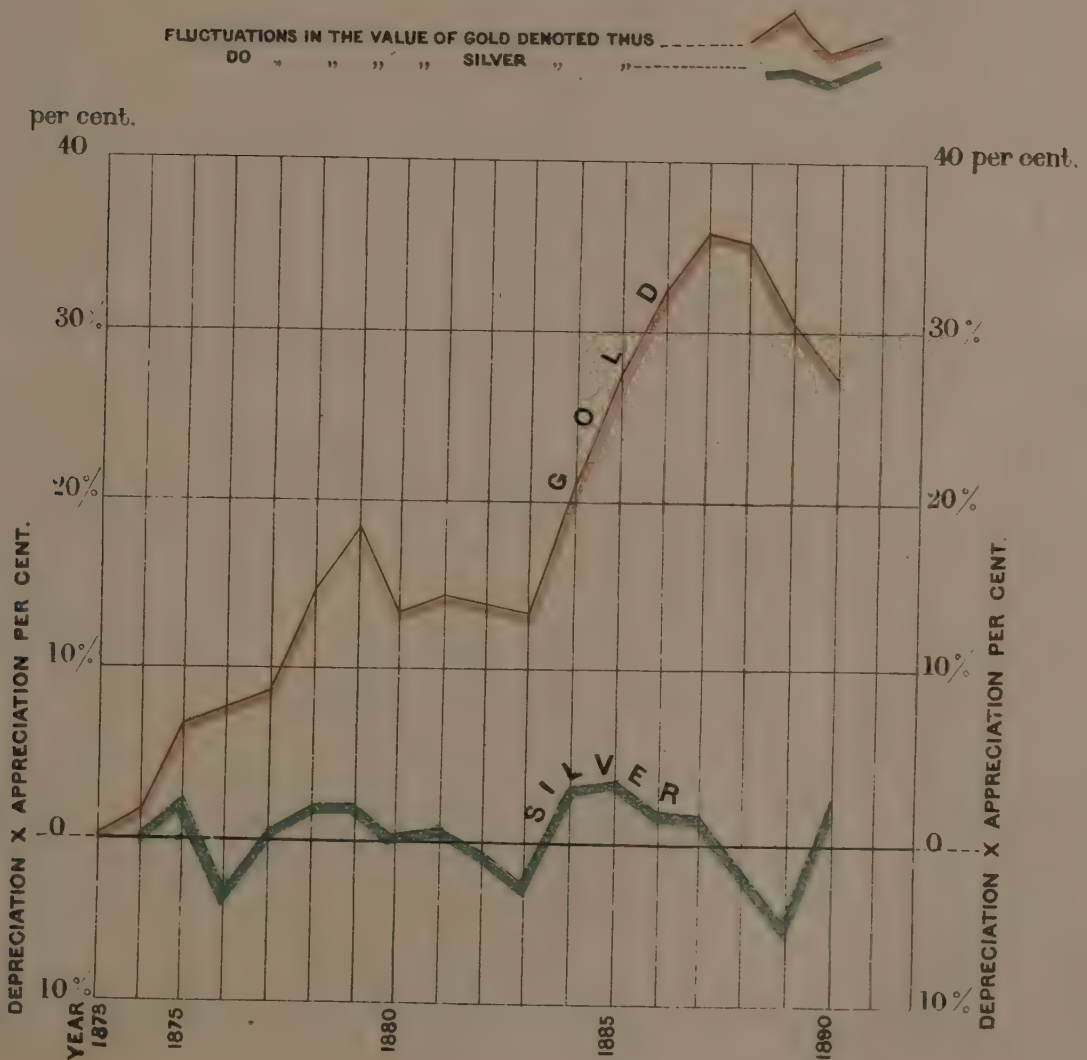
BRUSSELS MONETARY CONFERENCE

DIAGRAM PREPARED BY SIR GUILFORD MOLESWORTH No. 3.

APPRECIATION OF GOLD MEASURED BY ITS PURCHASING POWER ON THE BASIS OF THE "ECONOMIST INDEX-NUMBERS"

Prices of 1873 taken as Zero

BRUSSELS MONETARY CONFERENCE

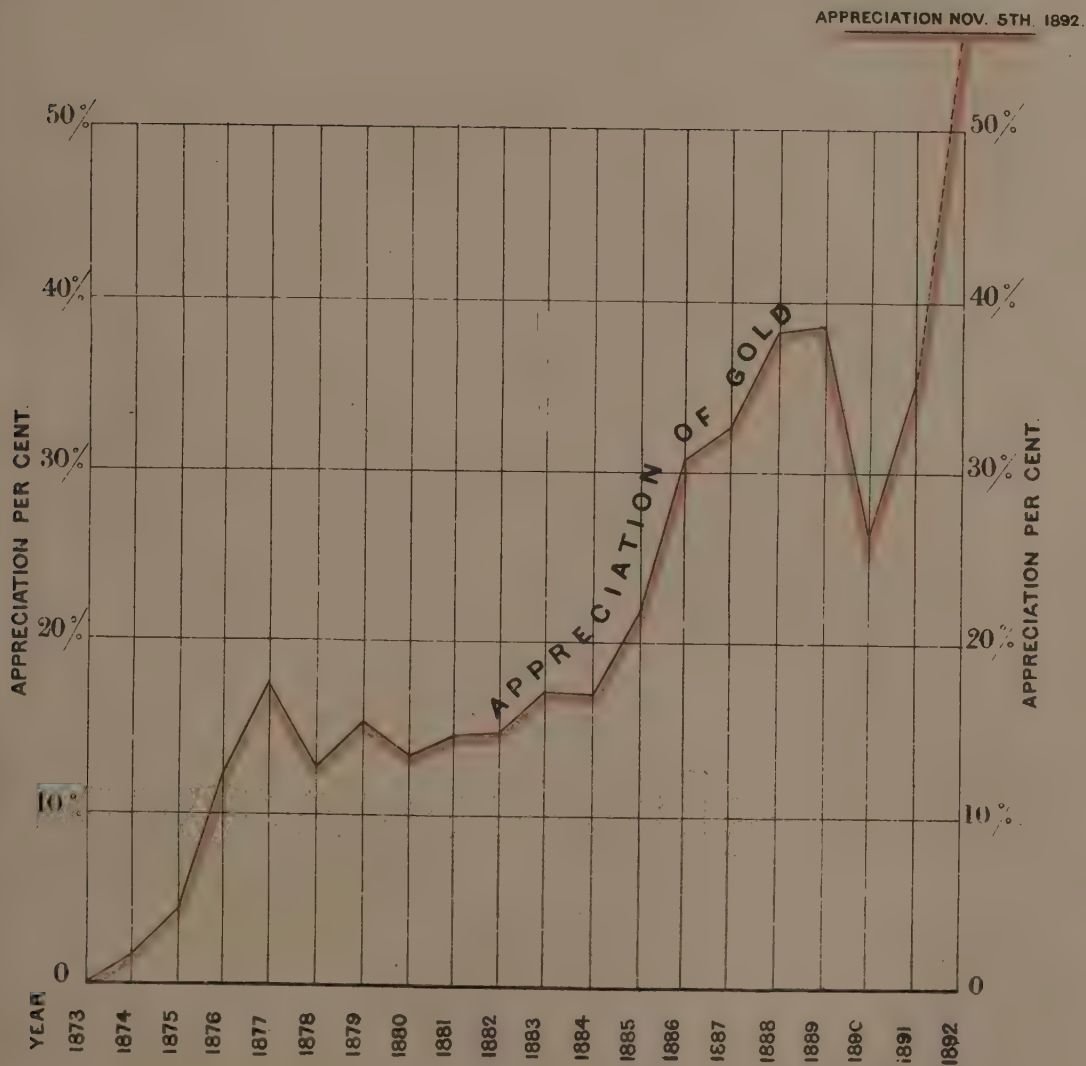
DIAGRAM PREPARED BY SIR GUILFORD MOLESWORTH No. 3^ARELATIVE APPRECIATION OR DEPRECIATION OF GOLD AND SILVER MEASURED BY
SOETBEER'S INDEX NUMBERS* SINCE 1873

*SOETBEER'S INDEX NUMBERS GIVE THE WHOLESALE PRICES OF 100 HAMBURG ARTICLES, AND 14 ARTICLES FROM ENGLAND VIZ., AGRICULTURAL PRODUCE, ANIMAL PRODUCE, FOREIGN FRUITS, COLONIAL PRODUCE, MINERAL PRODUCE, TEXTILES, AND MISCELLANEOUS.

BRUSSELS MONETARY CONFERENCE

DIAGRAM PREPARED BY SIR GUILFORD MOLESWORTH No. 4

APPRECIATION OF GOLD MEASURED BY SILVER

Prices of 1873 taken as Zero

SIXTH SESSION.

Monday, December 8th, 1892.

MR. MONTEFIORE LEVI, President, in the Chair.

All the Delegates were present, with the exception of MR. SAINCTELETTE, *Delegate of Belgium*, MR. TIETGEN, *Delegate of Denmark*, MR. BERTRAM CURRIE, *Delegate of Great Britain*, and MR. LARDY, *Delegate of Switzerland*.

The Minutes of the Fourth Session were approved.

THE PRESIDENT referred to the vote taken at the Fifth Session in relation to the proceedings of the Committee, and expressed a desire entertained by a certain number of members of the Conference, who, though respecting fully the wishes of the meeting, would like to see that decision modified to a certain extent. He hoped that he would meet with general support if he proposed, by a slight change in the text rather than in the spirit of the proposal made by Caratheodory Effendi, that any member of the Conference should have the right to be present at the meetings of the Committee, or of any other Committee ultimately to be constituted, without taking part in its deliberations.

Members of
Conference
to be allowed
to attend
Committee.

The proposal was adopted.

THE PRESIDENT informed the meeting that, to meet the wish expressed by Mr. Hans Forssell, Mr. Allison (*Delegate of the United States*), and Dr. von Glasenapp (*Delegate of Germany*), had laid on the table, the former various documents relating to the monetary situation in the United States, and the latter four statistical tables as to coinage in the German Empire. These documents would be printed and distributed. The President thanked Mr. Allison and Dr. von Glasenapp in the name of the Conference.

Presentation
of Docu-
ments.

MR. ALLISON (*Delegate of the United States*) was called upon to bring forward a motion relating to the order of the discussion. His suggestions contemplated the provisional abandonment of the Levy plan, in order to begin at once the discussion on the proposal of the United States, that is to say, on the question of bi-metallism. He thought that the experience of the two last Sessions had shown that while discussing nominally the Levy proposal, they had in reality discussed nothing but general principles, and that it would be better to begin with the debate on the question of bi-metallism, with the power of returning at a later stage to the Moritz Levy plan, and to the other subsidiary proposals.

Order of
proceedings.

MR. RAFFALOVICH (*Delegate of Russia*) urged that the debate on the Levy proposal should be continued to the end. He had prepared some remarks on this subject, and in any case he would like to produce them at once.

MR. BOISSEVAIN (*Delegate of the Netherlands*) said that he also would like to reply without delay to certain arguments put forward at the last meeting by Mr. Saintelette in direct connexion with the Levy plan. Apart from all personal considerations, he thought that there would be great advantages in allowing the discussion upon which they were engaged to pursue its course.

SIR RIVERS WILSON (*Delegate of Great Britain*) supported the motion of Mr. Allison, which he considered practical and calculated to shorten the discussions. He thought that the majority of the Delegates would not be in favour of the Levy proposal, unless it were included in some general plan. It would be better not to complete the examination of this scheme taken by itself, but to approach the important

SIXTH
SESSION.Order of
proceedings.

considerations involved in the discussion of the bi-metallic proposal of the United States Delegates.

BARON DE RENZIS (*Delegate of Italy*) proposed, as an amendment, to accept the motion of Mr. Allison, but to satisfy Mr. Raffalovich and Mr. Boissevain by calling upon them to speak upon the Moritz Levy proposal.

MR. SANCHEZ DE TOCA (*Delegate of Spain*) reminded the Conference of the hesitation which had been felt as to the order of the discussion when the programme of the United States Delegation had been presented. He had understood that the United States Delegates wished to know the views of the European States before defending their own proposal. Now Mr. Allison himself proposed to embark upon the discussion of bi-metallism, and the Conference ought, out of respect to the Government of the United States, to meet this wish.

MR. FORSELL (*Delegate of Sweden*) urged that the order of debate, which had been settled after discussion, should continue to be followed. To act otherwise would produce confusion.

THE PRESIDENT called the attention of the meeting to the fact that he had found it impossible to restrict the discussion to the examination of the Moritz Levy proposal. In reality the debate on bi-metallism had, so to speak, almost entirely ousted the discussion of the question which was before them, as everyone might have observed in the course of the last meetings. From this point of view the adoption of Mr. Allison's motion would produce order, and not confusion, as the honourable Delegate for Sweden feared.

He asked for a vote upon the motion of Mr. Allison as amended by Baron de Renzis.

The motion as amended was accepted.

MR. RAFFALOVICH (*Delegate of Russia*) read the following speech :—

I should like in the first place to express, in the name of the first Russian Delegate as well as in my own, our gratitude to our colleagues for having kindly reminded us of the share in the suggestion of Moritz Levy which should be assigned to one of the most eminent of my countrymen, Mr. de Thoerner. He will be certainly touched by the retrospective tribute implied in this recollection.

If I consider it my duty to say a few words to-day on the questions at present under our consideration, it is only from that feeling of respect by which Mr. Currie was influenced when he said that each of us, whether more or less competent in the matter, was under a moral obligation to make some contribution to the discussions of the International Conference.

It is naturally for myself only that I speak, as did Mr. de Thoerner in 1878, and I do not pledge in any way the views of my Government. Mr. de Thoerner added further that the Russian Government was obliged to reserve its decision until the moment came for the resumption of metallic circulation, and that it had accepted the invitation to the Conference of 1878, partly in order to meet the wishes of the American Government and partly in the hope of deriving valuable materials from the labours of a Conference in which so many distinguished luminaries were assembled. Our point of view at the present time is the same. Whatever may be the result of our deliberations, whether we discover the formula which will satisfy everyone, whether we arrive at the desired compromise, or whether we separate without having attained success, at least one point is gained, that our debates have not been barren. They have yielded positive results, clearly to be perceived in the declarations of capital importance which we have recorded, and which throw a new light upon the monetary position.

Again invoking the name of Mr. de Thoerner I would say, as did he, that I consider that facts have demonstrated that it is contrary to the nature of things to attempt to establish a fixed ratio between the value of gold and the value of silver. Mr. de Thoerner supported this proposition by the monetary history of our country, and cited two examples to show how difficult it is, in monetary matters, to resist natural forces by laws or agreements. This opinion I still endorse. Nothing which has happened since 1878 induces me to modify it.

Discussion
on bi-
metallism to
begin.

Mr. Raffalovich.

If we look at the monetary problem from a practical point of view, considering existing facts and the special position of different States, it does not admit of any absolute solution. Beside the conception of the ideal state of things we have to place the actual execution and carrying out of the conception. It is for this reason that, in certain great countries, we see statesmen who are convinced that if possible the gold standard should be adopted and silver reduced to the secondary position of small change, nevertheless defending the maintenance of the *status quo* with all its drawbacks; and that in others we see public opinion and Governments, though satisfied with the results which have been obtained at the cost of great sacrifices, nevertheless endeavouring to bring about monetary reforms.

I entirely agree with what Mr. Currie has said concerning England. I believe with him that the more a country advances in wealth and civilisation the greater becomes the perfection of its economic machinery, and the greater the economies which can be effected in the use of the precious metals.

One of the sources of England's strength is that she has become the monetary centre of the world, the place where you may always be certain of getting payment in gold. This is now one of the conditions of her greatness; interfere with that certainty, and you will break one of the mainsprings of that greatness. The basis may seem narrow; but from the point of view of the general interest, the narrowness of the basis has its advantages. Thanks to that, we are warned in advance of impending danger. If the importance of the rise of the London rate of discount had been fully understood in August 1890—and may I be permitted to remind you that I, at least, wrote pointing to it as an indication of a crisis in credit at a near date—it might have been possible even then to shorten sail.

An important point has been touched upon in our discussions, and mentioned in the Report of the Committee, namely, the question of discount, the question of the defensive premium. We ought to be grateful to Mr. van den Berg for having placed it before us.

Were I not afraid of abusing your patience, I would read you an extract from the latest preface prefixed by a master of monetary science to the work of another master. I speak of Mr. Léon Say, who has rendered great services to his country in this department, and of Mr. Goschen; and my reference is to Mr. Say's preface to the recent French edition of the "Theory of Foreign Exchanges." In that preface Mr. Say condemns the use of the defensive premium.

In conclusion, I should like to draw attention to the peculiar position of countries which have no considerable holding of foreign securities, and which only hold a portion of their own securities, the remainder being held in other countries. This is a consideration to which I take the liberty of calling the attention of the United States Delegates; it is perhaps a weak spot in their armour.

MR. VAN DEN BERG (*Delegate of the Netherlands*) spoke as follows:—

GENTLEMEN,

It will have been seen from my speech on Tuesday that I am in complete disagreement with our esteemed colleague, Mr. Raffalovich, so far as concerns his views on the monetary question in general; but I am grateful to him for having again drawn your attention to the question of the policy of the Banks of Issue with reference to gold, because the question is, in my opinion, of the greatest importance, and because it seems to me that if it were solved in the way which I indicated at one of our first meetings, a very appreciable mitigation of the drawbacks attaching to the present situation would be brought about.

Mr. van den Berg on banking policy.

In order to throw light upon the point, and to facilitate the examination of it, I have drawn up a table of the changes of the stock of gold in the Bank of the Netherlands during the last twelve years. This document, which I have laid upon the table,* is, I think, very instructive, for it shows what has been the course of business under a system which has always refused to attract or retain gold by artificial means. We have always allowed gold to come and go in accordance with the needs of the money market. The result is that from 80,000,000 florins in the beginning of 1880 we saw our stock of gold sink to less than 5,000,000 florins in January 1883, to rise shortly afterwards to 40,000,000, and in 1886 to 80,000,000 again. After that we kept for a long time a stock of more than 60,000,000 florins, and at the present

* See Appendix A. to the Minutes of the present Session.

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time we are still in possession of a stock of about 40,000,000. To this should be added our foreign credits, amounting to more than 20,000,000 florins, which, by law, do not form part of our metallic reserve.

As to our foreign credits, I should like to point out, further, that they consist almost entirely of drafts on London and Berlin. Paper drawn on Paris and Brussels only constitutes a very insignificant amount; and why? because we cannot be sure in advance that, when our bills on Brussels and Paris fall due, we shall be paid in gold, should circumstances induce us to ask for it, without submitting to a premium, to which naturally we object.

It is this special condition of the money markets of France and Belgium which only too often disturbs business, and introduces an element of instability which interferes seriously with the liquidation of international transactions.

I have many other remarks to add to those which I have just made, but I reserve them for a later stage, when I shall have had the opportunity of hearing what others may have to say for or against the ideas which have been put forward.

Mr. Allard
submits a
proposal.

MR. ALLARD (*Delegate of Belgium*) laid upon the table a proposal which was referred to the Committee.*

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MR. CRAMER-FREY (*Delegate of Switzerland*) read the following speech:—

GENTLEMEN,

We are seeking a remedy for a condition of affairs which has chiefly arisen from an enormous increase in the production of silver. This production averaged about 1,250,000 kilograms per annum during the 10 years between 1860 and 1870. It has now attained to the annual sum of 4,500,000 kilograms. No one would deny that so rapid an increase must have exceeded the demands of consumption and baffled all foresight.

Would it be possible to cure the evil by artificial measures? There may perhaps be means of mitigating it, and the project of Mr. de Rothschild has indicated one of these means; but neither the author nor any other person could guarantee that at the end of the period of trial the situation might not, possibly, or even probably, be found to be worse rather than better. The declaration of the Delegates of the United States and of Mexico, concerning the possibility of regulating or restricting the production of silver in those countries, has finally shattered many illusions.

It appears then that there is only one radical solution, that which has been recommended by the Delegates of the United States, and by other members of the Conference, namely, bi-metallism pure and simple.

Gentlemen, it would be rash on my part to wish to bring up here the numerous theoretical arguments that may be set in array for and against bi-metallism. Those arguments are contained in the proceedings of the Monetary Conferences of 1878 and 1881, and in the reports of the English "Gold and Silver Commission." It would be difficult to find others. At present, as in 1878 and 1881, Switzerland continues to consider it as a fixed principle of her monetary policy that there should not be two standards, or two measures of value. I should be an unworthy disciple of the lamented M. Feer-Herzog, who represented Switzerland at the Conference of 1878, and an unworthy successor of M. Burckhardt-Bischoff, whose interesting work on bi-metallism and on the Conference of 1881, at which he was a Swiss Delegate, will have been duly esteemed by many of you, if I ever entertained the idea that bi-metallism could be admissible for us. My colleague, Mr. Rivier, and myself, have received the most formal instructions to this effect from our Government.

As regards the different compromises which have hitherto come to light—that of Mr. Allard has only reached us to-day—they all imply, what is in fact inevitable, an obligation tending to the increased use of silver. Germany and Austria-Hungary prudently stand aside. England is very reserved and would only perhaps recoin her half-sovereigns if she saw large compensations in the engagements of other nations for the purchase of silver. In the countries of the Latin Union, except in Italy and Greece which are at this moment in an exceptional but transient condition, it would be impossible to force into circulation a single five-franc piece over and above those which are in use at present. If France consented to withdraw her ten-franc gold pieces, and if Italy decided to withdraw her notes of five and ten lire, then and then only would a new want be created. But then the actually existing five-franc pieces would

* See Appendix B. to the Minutes of the present Session.

more than suffice to fill the vacuum, seeing that France holds 500 millions or more of francs in coins of that denomination, which lie idle in the cellars of the bank.

If in Switzerland, where we have no notes below 50 francs, we are obliged to change a bank note, we are given nothing but silver five-franc pieces or smaller money, and we very rarely see a gold coin in circulation. No measure then, whatever its nature, could succeed in increasing the effective use of silver with us, seeing that on account of the great weight of the metal bank notes are preferred to it for a sum of any magnitude. Any addition would only increase the stores in bank vaults and in the public treasuries. Pure bi-metallism, that is to say, the free coinage of silver, would have the disastrous effect of chasing away entirely, or in great part, the gold required by the countries of the Latin Union to maintain the gold standard.

As for the measures contemplated by the Moritz Levy plan, Switzerland would not be much interested in them directly; but she could not do otherwise than recommend them.

Permit me now, in conclusion, to say a few words in answer to some of the observations that we have heard in the debates at the two last meetings of the Conference.

Mr. Allard, whose youthful energy and depth of scientific and practical knowledge of the monetary question we have all admired in his numerous writings and in his speeches, has told us how serious the situation will become if the Conference does not arrive at resolutions calculated to raise the price of silver.

Sir Guilford Molesworth, the worthy representative of British India, has hinted that if nothing definite in favour of silver were to issue from our discussions, his Government would be obliged to suspend the coinage of silver; and Mr. Cannon believes that the United States would be compelled to have recourse to the same measure.

Mr. Allard has recalled the memory of 1873 with its melancholy crisis, which he attributes to the monetary measures taken by certain countries. As regards this I think that the chief cause of the crisis of 1873 is to be found much less in a lack of currency than in over-production and in the unheard of exaggeration in commercial enterprises, which sooner or later was bound to bring about a strong reaction and difficulties of liquidation. It is very likely that if now, with a production of silver which may soon reach five millions of kilogrammes, an international convention should solemnly establish the free coinage of gold and silver, a colossal rise of all prices would follow, which would excite speculation and wild enterprise. A formidable reaction and a new crisis would be the inevitable consequence.

I believe that the economic effect of the depreciation of silver is considerably exaggerated. The foreign trade of India, for example, has more than doubled since 1872. This means that there must have been ample compensation either for the Exchequer or for a majority of the taxpayers. The manufacturers of Lancashire who complain so bitterly have themselves in the same period more than doubled their exports of cotton goods to India.

As to the suspension of silver coinage in India and in the United States, it would no doubt be a serious matter. But it seems to me that self-interest, though it might not prevent those two countries from limiting the purchase and coinage of silver, would prevent them from taking too abrupt action in that direction.

In theory I am of opinion that the best solution will be found by giving free play to the action of natural causes and by bringing about at the same time a change of policy in the monetary legislation of some countries, as, for example, by avoiding the too frequent changes which we have seen in the United States. These two causes together might be trusted to create a certain stability in the relations between gold and silver.

The Swiss Delegation will continue with the greatest zeal to examine with you all the measures which might help to relieve the present and future situation; but I acknowledge that I am rather sceptical in regard to most of the ideas which have been brought forward, except those of the Moritz Levy scheme. I will not give up hope that light may yet be found.

DR. ANDREWS (*Delegate of the United States*) read, in French, the following address:—

MR. PRESIDENT AND GENTLEMEN OF THE CONFERENCE,

In view of a few words uttered at the last Session, touching the policy of the United States, I crave the attention of the Conference to some remarks less directly related to the order of the day than I should have wished. We have great reason

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to rejoice at the concord and the conciliatory spirit which have marked the proceedings of this Conference. The American Delegates are peculiarly gratified at this. We had thought it at least possible that a somewhat different temper might be encountered. In the nature of the case we could not be sure that any proceedings which it devolved on us to initiate would be so free from friction. We were painfully aware that the attitude of America toward silver money, and hence the reasons for the call of this Conference and for our appearance here, had been widely misrepresented. We are assured from the European papers that many people on this side of the Atlantic believe our friendliness to silver to be purely selfish. They think us bent only on increasing our national wealth, and suppose that in undertaking this we act merely as the servile creatures of certain men owning silver mines. Gentlemen, let me beg any of you who still harbour that thought to dismiss it for ever, for there is not the slightest real foundation for it.

In constituting the immense value of our total national product, amounting in 1890 to some 13,000 millions of dollars, silver is but a trifle of about four ten thousandths or four one-hundredths of one per cent. Indulge me in a few more figures touching the values of extractive products in the United States. The figures for our manufactures would be even more impressive.

Commodity.	Year.	Value in Millions of Dollars.
Minerals -	1890	652½
Hay	1888	408½
Wheat	1890	320
Cotton	"	220
Coal	"	171½
Pig iron	"	151½
Pork	"	85½
Potatoes	1888	81½
Truck	1890	76½
Gold	"	32½

In views of statistics like these it is obvious that the people interested in our silver mines can exert but an insignificant influence upon public opinion in our vast country.

Equally absurd is the idea which has had much prevalence in Europe, that my country's interest in silver mainly proceeds from some distress afflicting our monetary system due to the considerable amounts of silver notes, coin, and bullion comprised in it. It is true that we have much silver money, but we have none too much, as is proved by the two infallible tests, that though practically all in circulation, it is all at par with gold; and that general prices in the United States show of late no elevation but a fall.

European critics of our monetary legislation overlook, as too many of our own people do, the enormous growth of our country's population and business, which not only enables us to absorb colossal sums of money without the slightest disturbance to the circulation, but even renders such additions absolutely necessary. We have not, and are not at present likely to have, a dollar of silver beyond what we need. It is impossible for us to monetise more of it than is good for us, so long as we can easily maintain every coin of it upon a perfect parity with gold. Should this at length prove likely to be impossible we shall change our laws.

What considerations then impelled the United States to invite the other nations hither?

They were mainly two, both of them rational and neither proposing any advantage to ourselves at the expense of other nations. Also the United States has no idea of soliciting any favour from the peoples of Europe. What we desire is as much for Europe's interests as for our own.

In the first place we wish to multiply our trade relations with the world. We desire to do a vaster business both with China, Japan, and Central and South America, and at the same time with the nations of Europe, a policy which can never be satisfactorily carried out so long as the two great groups of nations, the silver-using group and the gold-using group, go on separating more and more. The torment from fluctuating exchange which besets Great Britain in her commerce with India we too experience, in a way somewhat less obtrusive, in trading with our nearest neighbours. This is a distressing evil, which we earnestly desire to abate in favour of a fixed par of exchange between ourselves and those nations, a result to be attained only by extending the function of silver as money for ultimate payments.

But, gentlemen, I wish to say—and I cannot possibly lay too great emphasis upon this—that we are determined not to accomplish the desirable end of which I have spoken, at the terrible cost of opening a similar chasm between ourselves and the nations of Europe. We aspire to form the bond needed to make the world's commerce a continuous unity: We are striving to reach this end, but cannot do so without your assistance. If ever forced to give up the effort, we shall part company with Asia and South America rather than with you, with whom we are associated by so many strong, tender, and valuable relations.

There are those, I dare say, who expect that the issue of the policy toward silver which the United States is pursuing will be the loss of its gold and its passage to a monetary system having silver for its basis. Gentlemen, I say to you with the utmost seriousness, such persons are mistaken. We shall not give up our gold. It has been hinted that the United States is to blame for the monetary disturbances from which the world suffers; I deny this. To make such a charge is like indicting for murder a man who has bravely tried to save his fellow, bent upon committing suicide. But we cannot carry this fraternal effort much further. We shall not for ever pursue alone the task of sustaining the price of silver. That would be more than Europe has a right to ask of us. If Europe has not interest enough in the project to co-operate with us, we shall soon decrease our annual purchase of silver, and begin to provide for the recruiting of our currency by issues of paper. Our next Congress, whose authority begins on the fourth of next March, is nearly certain to open procedure in that direction. At any rate, I repeat, we shall not give up our gold.

Any who judge otherwise are imperfectly informed, being misled by the feints, the bluff, the manœuvres attending the conflicts of our political parties in Congress and outside. It is necessary to look deeper than this, to the last national platforms of both our chief political parties; to the complexion of the new Congress; to the project of the democratic party to renew the issue of State bank notes; to the fact of the recent election of Mr. Cleveland to the Presidency, by a very large majority both of the popular and of the electoral vote, after utterances by him in favour of a gold policy so pronounced and uncompromising that many of his best friends expected his defeat; to the fact that the section of the country—I mean the South—where Mr. Cleveland's peculiar views on this subject were supposed to be least in favour, gives him absolutely unanimous support; and lastly to the character of Mr. Cleveland himself, so fully committed on the subject as to assure his opponents no less than his friends that the time-honoured monetary policy of the United States will never be changed by his consent. What I say upon this subject is based upon no private information; but, as an adherent of Mr. Cleveland and enjoying in a slight degree his acquaintance, I have absolutely no doubt that his attitude towards the currency problem will be what I have intimated.

It may be thought by some hardly credible, in view of our customs laws, that the United States wishes a wider foreign trade. Why, if that is so, it may be asked, do you not lower your tariffs? Gentlemen, this is part of that resolute policy of ours to which I have referred, of retaining our gold. I do not say that this wish is the sole reason for the elevated range of our customs duties, but I do maintain that one very important ground for our tariff policy, restricting in one way our trade with Europe, is that in another way it enables us to continue that trade on the same gold basis as yours, with a stable par between us and Europe, so that at the proper time this commerce may conveniently be increased. One can easily see how our tariffs help us here. We produce several commodities which Europe must have, while few of our own wants are of such a nature that we cannot, by sufficient outlay, provide for them at home. By hindering somewhat the movement of your commodities to us, which many of us are very sorry to have to do, we make it necessary for you to send us gold. It is obvious from this that there could be no surer way to lower American tariffs than for Europe and America to agree upon a policy favourable to silver as money.

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That, and nothing else, will abate this incessant conflict for gold, leaving America free to effect generous reductions in her customs duties. We do not wish this conflict to continue; but, if it must, all will see, I think, that we have in it certain peculiar advantages. If forced to use these we shall have no recourse but to do so.

Gentlemen, as I suggested, a second powerful consideration urges the thoughtful people of the United States to try and rehabilitate silver as money of full debt-paying power. It is this: They wish to stay that baneful, blighting, deadly fall of prices which for nearly thirty years has infected with miasma the economic life-blood of the whole world. They do not desire to debase the standard of value. They would have every debt paid in gold or its equivalent, but they do not wish gold to be arbitrarily and unjustly appreciated.

Many writers of great intelligence fall into a curious confusion of cause and effect upon this point, identifying fall of general prices with intrinsic cheapening of commodities. For instance, the Berlin "Nation" had, some years since, an editorial on "The Decline in Prices an Advance in Civilisation," wherein such decline was set forth, not as a sign of economic advance, which under the world's present economic system it often is, but as itself an element in such advance, which it is not. That many manufactured articles have long been decreasing in intrinsic cost is a great blessing, and articles of this class would doubtless have gone down more or less under an ideal system of money. But it was not necessary that general prices should fall, and this fall I maintain has been an absolute and unmitigated curse to human civilisation. Mark, it is not low prices which we condemn; low prices once established are as good as high; that is to say, the words "high" and "low" in respect to prices are not absolute but relative terms. The everlasting *fall* of prices, the act of sinking, is the accursed thing. None profit from it but such as are annuitants and nothing else, and we may be sure that no civilised state is going to legislate to keep prices falling when the fall is once seen, as it must soon be seen, to injure all but the very few unproductive people who live upon their incomes. Bankers and money-lenders, as such, are not interested to have prices fall and the value of money increase. What enriches bankers is lively business, plentiful trade, demand for capital, high interest, phenomena which never accompany appreciating money, and in the nature of the case cannot do so. In the absence of wars and all such acute causes narrowing the demand for loanable funds, the present abundance of these in all directions and the consequent low rates of discount ought to be read as indubitable signs of a morbid paucity of money in the general circulation.

Gentlemen, this is indefinitely the most important aspect of the silver question. The trouble is intensely real. It is at once economic and moral in nature, hindering exchanges and necessitating a measure of injustice in a vast proportion of the exchanges which do occur. The malady affects all alike, Europe as well as the United States, Germany, and Austria no less than England and France. How long shall the evil continue? It is not inevitable but remediable. The Governments here represented can terminate it any day. They justly look to us for recommendations, keenly aware that if we adjourn without agreeing upon a remedy, instead of the old *status quo* being restored the disease will be aggravated. Among the numerous suggestions of remedy daily brought to our notice a few are certainly reasonable and feasible. If we continue our deliberations with a due sense of the responsibility resting upon us we cannot fail to devise some measure of relief.

Mr. Zeppa. MR. ZEPPA (*Delegate of Italy*) read the following address:—

GENTLEMEN,

You are aware that public opinion from the first has not been over sanguine as to the practical results of this Conference; but it must be said that a change of opinion was produced when it became apparent that the Assembly put aside every theoretical question to discuss a proposal so simple in its chief lines as Mr. de Rothschild's, thus giving a sure pledge of their desire to remain on practical ground.

But now Mr. de Rothschild's plan, for reasons which we know, has been withdrawn, and the discussion has again entered upon the domain of general principles. I will not follow my colleagues into this region, but will confine myself to expressing in a few words my own opinion on the question under discussion.

It is evident, as has been already remarked, that a higher and almost inevitable law impels civilised nations to pass gradually to gold mono-metallism. In proportion to their economic progress the intrinsic value of the monetary unit which they adopt must be raised.

And there is no doubt that this law, based on the principle of least resistance, has been singularly favoured in this century by events, some natural and some out of the ordinary course, in consequence of which it may perhaps have come into action prematurely.

The excessive and continually progressing production of silver is the first of these facts, on the existence of which I need not dwell. This increase in the production of silver made it necessary to suspend the coinage of silver money of full legal tender in bi-metallic States, first for the account of individuals, and then for the account even of the State, by reason of the fall in the price of the metal and of the enormous divergence between the real and the legal value of silver in comparison with gold. This suspension, which was necessitated by the fall in the commercial value of silver, had without doubt the effect of emphasising that depreciation. It should be observed that the majority of civilised States had for a long time been forced by political and financial events to submit to an inconvertible currency, and that thus the use of notes had become deeply rooted in the habits of their peoples, so that when inconvertible paper currency had to be given up, the public found it difficult to reconcile themselves to the use of heavy silver money. This is so real a difficulty that Mr. Moritz Levy and M. Soetbeer, when proposing a more extended use of silver money, thought it necessary to facilitate it by permitting the use of silver certificates in the place of coin.

Finally silver could not fail to feel the consequences which arise from the application of all those measures by which in commercial transactions, whether international or internal, the use both of gold and of silver will be considerably reduced.

As the law of least resistance impels nations towards the ideal of gold mono-metallism, so it leads them to use in their transactions the smallest possible amount of coined metal; whence arise, as is well known, clearing houses and all the instruments of credit.

Taking these things into consideration it is astonishing that persons, admittedly of high intelligence and genuine culture, are to be found who would wish to lead nations backwards, and to re-establish pure bi-metallism. It is evident that to produce that effect it would be necessary not only to secure that the commercial price of silver should approach anew the point at which it stood thirty years ago, but also to eliminate, if possible, those tendencies which are adverse to the increase of the circulation of silver, and to counteract those economic conditions which have had the effect of reducing the use in business transactions, not only of silver, but also of gold money.

The diminution of the value of silver, as determined by its use, at the same time that its production has increased, has brought about by a natural economic law the fall of its exchange value, and this being the case there is no human force, no international agreement, however numerous the contracting States, which can re-establish the old legal relation between silver and gold. Besides, the adoption of a new legal ratio, while it could not secure the States against the danger of a new disparity in a few years between the actual and the legal value, would, by the necessary demonetisation of the silver in circulation, cause losses such as few States could bear.

But if all this is true, it is not less true that, as it would be contrary to the law of progress for nations to adopt gold mono-metallism before by reason of their economic conditions they are ready for it, so it would be equally dangerous to neglect any measure which might render less serious the effects of the fall of silver among those nations who are either bound to move towards gold mono-metallism, or who have just adopted it; or who, whatever system they may use themselves, are in constant relations with countries which have silver mono-metallism. From this point of view the States forming the Latin Union, with its limping bi-metallism, are no less interested in checking as far as possible the fall of silver than Germany, Sweden, Norway, and Austria-Hungary, which have lately adopted gold mono-metallism, than England which has gold mono-metallism, and Russia which has silver mono-metallism, on account of the very important relations which these two last-mentioned nations have with Asiatic countries.

It is difficult to believe that the United States, for the sole reason that Europe is not willing to adopt pure bi-metallism, would all at once suspend the purchase of silver. It is not, however, incredible, since the present silver laws of the American Confederation might place the public treasury in an untenable position with respect to the accumulation of that metal. On the other hand, it is a fact of which we now have clear proof, that the increase in the use of silver money, due to the different laws for the purchase of silver, has brought about a considerable diminution, both in the

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gold in circulation in the United States and also in that deposited in the banks. The Gresham law was bound to produce its effects there also.

It is not possible then to face without anxiety the consequences which would arise from the abrupt suspension of those laws. Silver would fall still further, perhaps to half its legal monetary value, and a rise in the price of all goods would necessarily follow in all the countries which kept silver as full legal tender. It is difficult to imagine the disturbance which would result throughout Europe. But this disturbance would arise all the same, though in a lesser degree, if the United States, even in view of the failure of the Conference, should keep their silver laws unaltered. Consequently it is desirable, as much from the political as from the economic point of view, to prevent a further rapid fall in silver, or at least to make it slow and gradual, so that its consequences might be somewhat mitigated. That would be a sound line of conduct, worthy of wise Governments, and conformable to those political principles which do not demand opposition to the great laws of nature, but rather urge that progress should be realised without violent shocks and dangerous disturbances.

It is precisely these considerations which should have recommended Mr. de Rothschild's plan rather more strongly to the Conference. The form in which the proposal was stated showed that its author was far from believing that by this means the old ratio of 1 to 15½ could be re-established, and still less universal bi-metallism.

The true object of the proposal evidently was to secure the continuance of the purchase of silver on the part of the United States, and to provide at the same time that purchases should be made by the European States for five years at least, in order to hinder a further depreciation of silver. Even this limited object deserved the interest and co-operation of the great European States. But as a unanimous agreement was impossible, several of the great Powers having declined to join in the measure, and as, therefore, the project could not be adopted in its entirety, might we not hope for a partial application of the plan? Would it not in any case have been interesting to secure in part the favourable results looked for, when it became impossible to obtain them completely?

If some of the Powers were convinced of the utility of the Rothschild scheme, and were disposed for their own part to adopt it, and above all, if England, influenced by the monetary troubles in India, recognised the opportunity of preventing the suspension of purchases of silver by the United States, and of a greater fall in the value of silver; and if, finally, she herself, while retaining her gold mono-metallism, had thought it possible to give a larger place to silver in her circulation, and in her payments, would she not have been able to agree with those Powers who held the same views, for the purpose of making every year a part of the purchases which, according to the scheme, were to be made by all the European States in common.

In this way a great result would have been obtained. If silver could not have been raised to the price of 43 pence the ounce, it might have reached and been kept at a slightly lower value. At any rate a further fall would have been prevented. In fact the support of England, as proved by her purchases, would have been of such material and especially of such moral importance, that the silver market would have been very favourably influenced by it. Her example and its results could not have failed to incite other States which have hitherto been refractory to follow the same course, to bring back again those States which have too hastily perhaps adopted gold mono-metallism, and to induce those States to pause which, without being ripe for the change, wish to adopt it. The United States and England would thus have conferred a great benefit not only on themselves but on the whole of Europe. In the meantime industry would have time to extend and to increase the use of silver, so as to insure to the producers of silver just compensation against the day when the abandonment of this metal as money of full legal tender will become unavoidable in all civilised countries.

The opinions that I have expressed seem to me to be in agreement with the principles laid down at all the preceding Conferences, on the necessity of maintaining to a certain extent the monetary part played by silver as well as by gold. Mr. de Rothschild's scheme seemed to me to be the practical starting point for the carrying out of these principles, although some essential modifications in it might have been necessary. Unfortunately the declarations made at the last sitting by Sir Rivers Wilson leave us at present no hope that Great Britain will give her support to the Rothschild proposal. But may I be permitted to express the desire that she may one day reconsider her decision, and that she may add a new claim to the gratitude of the civilised world by taking the initiative in lending her powerful co-operation,

so that a middle course, avoiding bi-metallism on the one hand and on the other hand the too hasty adoption of a gold standard, may in one form or another finally triumph.

MR. WEBER (*Delegate of Belgium*) read the following speech :—

GENTLEMEN,

You have heard various speeches, some of which were concerned with the examination of palliatives suggested for the improvement of our monetary position, which is declared to be bad, while others take bi-metallism by the horns. I have no intention of dealing with palliatives, which I do not think would be either useful or effective; but I desire specially to meet the arguments of those who repeat, until we are tired of it, and with unabashed persistence, that the fall in prices is due entirely to the scarcity of metallic money.

According to these modern Jeremiahs the fall in the price of cereals, of cotton, of wool, and of many other products, results from a scarcity of coin in the monetary circulation of the world. The enormous areas which have been put under cultivation, or used for pasture, in the New World and at the Antipodes, are ignored; they are not taken into account at all. For instance, three or four years ago America produced 6,000,000 bales of cotton, whereas the harvest of 1891 amounted to 9,000,000 bales. The London "Economist" in one of its last numbers reports that a census of the sheep in Australia gave 62,000,000 head in 1878; while for 1891 the figure is given as 124,000,000 head, that is to say, exactly double. If these 62,000,000 sheep, which have been added to the figure of 1878, instead of contributing wool had contributed silver in the shape of fleeces, and if in consequence prices, instead of falling considerably, had been maintained at a high level, I ask what profit humanity would have derived from this phenomenon? Does it not seem to you, gentlemen, that we are to a certain extent criticising Providence if we complain of the cheapness of products, when that cheapness is the consequence of their abundance?

It is to be noted that those who groan at the fall in prices fail to see that the value of certain products has undergone considerable oscillations since the coinage of silver was limited, and that they have been subject to alternate rises and falls since 1873, exactly as they were before that date. This proves clearly that it is no general and unvarying cause which affects prices, but that it is the abundance and scarcity of products, indicated, as is always the case, by supply and demand. I might make this more clearly perceptible by having recourse to statistics, and by supporting my argument by figures and graphic diagrams, but I think that this is not the moment to embark upon a long exposition of the subject.

At the same time there is no doubt that the universal employment of silver as money would have a powerful effect upon prices; but, so far as regards the increased activity of business, the effect would be merely transitory, and would be followed by an inevitable reaction. The war of 1870 was followed by an extraordinary commercial and industrial activity. Are we, therefore, to consider war as a stimulant to industry?

It is the fall in the price of silver, and not in that of produce, which should engage our attention. It has been asserted that for fifty years at least the value of the two metals hardly varied from the ratio fixed by law. The fact is, however, that one of the metals, at one time silver and at another time gold, used to stand at a premium, but the variation was not sufficiently great to cause any uneasiness. The discoveries of gold in Australia and in California seemed for a time to depress the balance finally on one side; the more so, that these discoveries took place contemporaneously with an expansion of instruments of credit, such as bank notes, cheques, transfers, and clearing-house settlements. Let me give Belgium as an example. Forty-two years ago the effective circulation of notes of the Société Générale and of the Bank of Belgium did not exceed 15,000,000 fcs., while, at the present moment, the circulation of the National Bank exceeds 400,000,000 fcs. The system of transfers did not exist at that time, while last year settlements cleared by transfer exceeded, at the National Bank, the figure of 900,000,000 fcs. If this has been the case in Belgium similar results have been produced in other countries too; so that, at a time when the production of gold reached an unprecedented point, the use of money was economised by instruments of credit. It is exceedingly strange that, in the presence of facts such as these, the most cumbrous and least convenient form of money was not depreciated sooner, and that the point of saturation was not reached before 1873. It is true that the increase of coin and of instruments of credit

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coincided with an unprecedented industrial activity, which had its origin chiefly in the construction of railways and other means of communication, undertakings which, besides requiring an enormous amount of capital themselves, gave a powerful stimulus to the commercial relations of different countries.

It was not, then, the demonetisation of a certain quantity of silver coin by Germany which produced the fall of that metal; the fall was inevitably destined to happen, and all that Germany did was to make use of a favourable conjunction of affairs to escape from a disadvantageous position.

Moreover, why should we look for the cause of the fall in silver to a demonetisation, which in seven years extended only to a total of 810,000,000 fcs., while the production of silver, according to Mr. Leech, the Director of the United States Mint, rose from 437,000,000 fcs. in 1873 to more than 995,000,000 fcs. in 1891? And yet this production was not stimulated by the market price, for the metal had fallen by more than 30 per cent. during that period. What figure of production should we not have reached if prices could have been maintained, and how many 5-franc pieces would be circulating with the stamps of the Latin Union if restrictions had not been applied to the coinage of silver?

The supporters of the double standard cannot find bitter enough complaints for the scarcity of gold, which, nevertheless, exists only in their imagination. According to the Director of the United States Mint, the production of gold throughout the whole world, which stood in 1873 at 498,000,000 francs, reached in 1890 the figure of 680,000,000 francs.

It is not only the progressive total of production which bears witness to the abundance of gold; it is forcibly shown by the situation of the banks of issue, which assert that gold coin accumulates more and more in their stores. The "Messenger de Paris" which, as is well known, is one of the chief financial organs of France, quotes, in its number of the 23rd of June last, a communication which had been made to the Statistical Society of Paris by Mr. des Essars, upon the variations in the metallic reserves of the banks of issue of the world from 1881 to 1891. He shows that the stock of gold, which in 1891 amounted to 5,562,100,000 francs was in 1881 only 2,901,100,000 "

that is to say, an increase of	2,661,000,000	"
in 11 years. During the same period the stock of silver in		
the same banks increased by	925,300,000	"
and their fiduciary issue grew to	14,337,200,000	"
from	12,135,600,000	"

that is to say, an increase of	2,201,600,000	"
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Mr. des Essar's work only goes down to 1891. The "Messenger de Paris" shows that in 1892 the stock of gold in the bank of France increased by a further sum of 200,000,000 francs. The paper adds some very just observations, which I think it right to reproduce here:—

"Far from being incomprehensible, these variations have a very natural explanation in the monetary policy of the United States. The American Government has been literally besieged, oppressed, and overwhelmed by producers of silver, who do not know what to do with their produce, because they hold it at a price higher than its real value, and the United States have therefore had recourse to all possible means for escaping from this difficulty and for keeping in circulation millions of ounces which they have been compelled to buy without needing them. The consequence is that gold, which is abundant in the United States, finds less use there, and that it crosses the ocean, accompanied furthermore by silver, its very faithful servant. This is the reason why in a year when Europe had to buy enormous quantities of grain in the United States the exchanges were persistently favourable to Europe, and why the reserves of gold in Europe have increased, whereas it was admitted by all the world that they ought to diminish. The amounts of gold and silver seeking for employment in Europe proved to be greater than the amounts necessary for liquidating the purchases of grain in the United States. This is one of the most curious and instructive of monetary phenomena in our time."

The French newspaper might have added that the Government of the United States would before long necessarily find itself in certain difficulties, in consequence of the financial measures which it has adopted to assist the producers of silver.

It is scarcely necessary to remind you that the Government has undertaken to buy every month 4,500,000 ounces of silver at a fixed price, and that as it would have been barbarous to coin into unnecessary money this immense mass of bars, the sellers have received in payment silver certificates which circulate as bank notes.

This issue has been facilitated by the restrictions which the National Banks of the United States have been compelled to place upon the amount of their note circulation. It is difficult not to suppose that the authors of the Bill, by virtue of which the certificates have been issued, profited from these circumstances to facilitate the disposal of the silver bars. The number of the National Banks is at present about 4,000. By virtue of their constitution, which is uniform and determined by law, they are obliged to deposit in the United States Treasury bonds of the national debt to an amount equal to the total of their issue. The repayment of the national debt takes place at successive dates, fixed in advance at the time of the issue of each loan, and consequently the banks have found that to a certain extent they were unable to obtain cover for their issue, and under these circumstances silver certificates took the place of the notes which had to be withdrawn.

When the superfluity of these securities was recognised, the apprehensions of the American public with regard to silver were increased. On the 4th of April 1891 the "Économiste Français" published the following remarks:—

"Recent silver legislation has produced unforeseen consequences in several States, particularly in Kansas and Nebraska. Notwithstanding the law which requires the Government to purchase 4,500,000 ozs. of silver every month, silver, as currency, remains a cumbrous and unpractical form of money; and under these circumstances its use could not be forced upon the public.

"This has already exercised an influence on its price; not only does silver not rise in value, it no longer keeps steady, it falls. Commercial men believe that it will fall even lower, and they take precautions in consequence. For example, it is stipulated in all contracts for a long term, such as mortgage deeds, that payment must be made in gold, *i.e.*, in gold coin of the United States of the denomination, weight, and standard at present current, or its equivalent. Those who will not accept this condition are unable to borrow.

"That speaks for itself. The United States is a silver-producing country. At the cost of very heavy sacrifices they make laws in order to maintain the price of silver, but notwithstanding this the price falls; and, in the Southern and Western States, where they pay little heed to theory and where it is impossible to say that the people have been infected by the doctrines of economists, where the variations of foreign prices are less felt than upon the more sensitive European markets, they do not now believe in anything but a gold standard."

I have endeavoured to show, by authorities and figures, that gold is not scarce, but that the stock of it increases considerably. This arises both from the production, which increases every year, and from the position of the banks of issue, which every year alike find that their stock of gold is considerably augmented. It remains to be investigated whether, in spite of that, business is hampered, and the trade of the world checked by what is incorrectly described as the appreciation of gold.

At the last general meeting of the London Chamber of Commerce, the President, Sir John Lubbock, in a statement which did not deal with the monetary question, quoted some figures which it is interesting to repeat here. Comparing the exports and imports of the three countries which manifest the greatest commercial activity, for the years 1880 and 1890, he showed a considerable increase for 1890. The following are the figures he quoted:—

IMPORTS.

	1880.	1890.	
	£	£	
France - - - - -	383,000,000	368,000,000	-15,000,000
United States - - - - -	311,000,000	340,000,000	+29,000,000
United Kingdom - - - - -	634,000,000	683,000,000	+49,000,000

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	1880.	1890.	
	£	£	
France	138,000,000	150,000,000	+ 12,000,000
United States	171,000,000	176,000,000	+ 5,000,000
United Kingdom	223,000,000	262,000,000	+ 39,000,000

That is to say, taking exports and imports together, there is an increase of 119,000,000*l.* or 2,975,000,000 francs.

Of course if the trade of the whole world were taken into consideration the total would be much greater still, for it will be observed that neither Germany nor Austria are included in the table. If to the foreign trade of each country were added the amount of the home trade, the increase shown would be something extraordinary.

It must therefore be concluded that there is no scarcity of specie and that the progress of the world's trade cannot be said to be fettered by this imaginary cause. Facts show the contrary.

In order to meet every objection, let us admit for a moment that an agreement has taken place between the principal nations of the world represented at this Conference, and let us examine the consequences which would follow an arrangement for opening every mint to the simultaneous coinage of gold and silver at a fixed and settled ratio.

There is a limit of time to every agreement, and consequently, when that time arrives, each of the contracting parties regains his freedom of action. In this way the term of the Latin Union has expired, but it is prolonged from year to year by silent consent, unless notice to determine it be given. Hitherto no one of the interested parties has considered it of advantage to break up the Union, but it may be dissolved at fixed recurring periods. This state of affairs is certainly not a favourable one, but the total amount of silver coin in circulation, bearing the distinctive stamp of each of the nations interested, is pretty accurately known; and it is possible, having regard to the requirements for home circulation, to calculate the amount of coin which would have to be bought back from abroad.

Is it likely that after such an experience a nation would entertain the idea of placing itself again under the conditions which have brought about the present state of affairs, by reverting to the free coinage of silver? It is calculated that Belgium could be compelled to repay 200,000,000 francs if the Latin Union was broken up, and yet it is sought to induce her to increase this amount to an unlimited degree, with the certainty of finding herself, on the termination of the international convention which is contemplated with a light heart, in an absolutely hopeless position.

It must not be overlooked that the work done by a coining-press is not in proportion to the size of the country on whose behalf it operates. Whether it be at Brussels, Paris, or London, it will produce in an hour or in a day the same number of coins. Thus the Brussels Mint in 1873 struck more than 100,000,000 francs in 5-franc pieces. Belgium did not require these coins, but the holders of bar-silver very naturally desired to make a profit out of the operation. It is true that, at that time, an inconvertible currency was still in operation at Paris.

From the commencement of the century, the most powerful and scrupulously honourable nations have found themselves compelled to have recourse to a forced currency. England maintained it till 1816. It was instituted in France in 1818, and again in 1870. Austria has only recently escaped from it, and Russia is still subject to it.

A forced currency, then, is a scourge which must not be overlooked, as the causes that produced it in the past may reappear and again impose it upon us; and it will be those nations who escape it who will find bars of silver flowing in upon them for the purpose of being transformed into coin bearing their distinctive stamp. The production of the silver mines, not being limited in accordance with the demand, will not be in any way diminished; for the profits will not fall off, since by virtue of the agreement the mints would remain open, and would continue to coin, according to the conditions internationally established.

It is true that the partisans of a double standard assert that if their scheme were generally established throughout the world there would be hardly any shipments of precious metals. As their price would be the same everywhere, there would not be any motive for moving them from one place to another, unless such a course was demanded by real needs. According to them silver would no longer leave the places where it is produced, and the double standard would bring back to us the golden age.

It is nevertheless quite certain that the profits of mines come from their production, and that that production would be greatly stimulated by the certainty of being able to sell the produce at a fixed and known price. The 995,000,000 francs of last year would be enormously exceeded. All the silver which was not required for industrial purposes would be converted into coin; and, as the coining-presses of the United States would be unable to perform so colossal a work, even supposing that those who control them wished to perform it, the metal would be sent to those countries which had the best supply of remittances in the opposite direction. It is perfectly clear that silver is not paid for with silver and that the exporters of silver bullion, to Belgium for example, have no intention of importing 5-franc pieces into their own country. Consequently they would seize all the gold they could lay their hands on, as well as credits on countries where there is an abundance of gold in circulation. This would certainly not be done in a day, but they would avoid any loss of interest by requiring their correspondents to pay the 5-franc pieces into the bank of issue; and while waiting to find cover they would apply the notes, which would be remitted to them in exchange for these 5-franc pieces, to the purchase of international stocks and other securities realisable at short notice.

I mean by this that a silver invasion is inevitable and that the condition of international relations, even though it should not involve immediate remittances of specie, would be powerless to prevent it.

The result would be that we should be compelled to stipulate in our contracts for payment in gold, as they are beginning to do in America, and we should probably see trade bills made payable in the same coin. Those nations which had parted with their gold and could only pay in silver would have to submit to ruinous rates of exchange.

The losses which might result from the breaking up of the Latin Union, of which, however, at present there is no indication, are calculable; whereas the losses which might accrue to the next generation, from an international arrangement such as that they have in view, are incalculable. Who would dare to prophesy the condition of international affairs, the condition of Europe and of the world, when the term of the International Monetary Convention runs out? Which nations will have an interest in demanding from the others the redemption of the coins bearing their distinctive stamp? After 20 or 25 years, the probable period of such an arrangement, who will be the creditors and who the debtors? No one knows. But we may be sure of this, that there will be a surfeit of money, a formidable inflation of silver currency, and all this will have been brought about for the sole purpose of digging up silver in America and elsewhere, and bringing it to Europe to bury it again there in the vaults of the banks of issue.

The difference lies in this fact, that so long as silver is in the condition of ore it exercises no influence upon prices, but as soon as it is changed into money the case is entirely altered. This result, which favours some to the detriment of others, is what they have in view.

For the last 50 years the great discoveries of gold and the more and more general use of instruments of credit have created a situation continually more favourable for the debtor and more unfavourable for the creditor. All those who receive a fixed salary have suffered, namely, officials of all classes, magistrates, soldiers, clerks, pensioners, and stockholders. This last class has suffered relatively, on account of the depreciation of the purchasing power of money, and absolutely on account of the continuous diminution of the rate of interest caused by the abundance of capital.

The conversions of stocks and other securities which have taken place sufficiently attest this, and these conversions prove that the Governments have no need for the depreciation of money in order the more easily to fulfil their obligations.

This is the state of affairs which it is desired to make still more acute by giving a legal and fictitious value to silver, with the object of bringing about an apparent and ephemeral prosperity by a rise of prices. Those who are at present sellers would profit by the situation, but not to any lasting extent, as they would immediately be called upon to pay dearer for their raw materials, and high prices inevitably cause reduced

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consumption. Only producers of raw material would derive any permanent benefit, such as agriculturists, whose interests certainly deserve attention; but they too would find their profits gradually diminished by an increase of rents.

The forced circulation of silver appears iniquitous from whatever standpoint the question is regarded, and, in seeking to favour the expansion of industry and commerce by international means, we must look for help not to the Mint but to the Custom House.

Mr.

Boissevain.

MR. BOISSEVAIN (*Delegate of the Netherlands*) made the following speech :—

I had intended to submit to the Conference some remarks on the subject of the speeches which we have heard in the last few days. I still think it right to make these remarks, but it appears to me necessary in the first place to notice the interesting and remarkable speech of Mr. Weber, one of the Belgian Delegates.

If we are to credit that speech, I should be almost compelled to ask what we have come here to do. Mr. Weber began by drawing a picture of the commercial and economic situation, at any rate in Europe, which would make us believe that all is for the best in the best of all possible worlds. But I think that all that we have heard hitherto is in more or less direct conflict with this picture.

You will understand, gentlemen, that as this speech was filled with facts, as it contained a considerable number of figures, and entered into a number of details, it is impossible for me to give an immediate reply point by point. I reserve the right of doing so subsequently, if opportunity offers, and if no other member of this Assembly does so before me. For the moment I will confine myself to commenting upon one or two points only.

Mr. Weber dealt with the question of the fall in prices; but in what he said he did not appear to me to preserve the vast distinction that there is between plentiful supplies and a fall in prices. Plenty, gentlemen, is the result of improvement in the conditions of production, of reduction of expenses, of the lowering of railway rates, of the development of industry, and so forth. You do not need to be told that all these causes produce plenty.

But how is the existence of plenty to be established, if not by an increase of prosperity? Now I do not see that we have cause for rejoicing in any increase of general prosperity which has been exhibited in recent years. On the contrary, I think that almost everywhere, and almost continuously, in spite of certain periods of reaction, we have had a period of depression for trade and industry. No one would be so bold as to say, and certainly no one could prove that we have passed through a period of prosperity; and yet prosperity ought to have been the result of plentiful supplies of products. I am not by any means alone in thinking that the real situation in recent times, the situation with which we are all acquainted, proves that the fall in prices is not the result of plenty. It is not the abundance of products which has made the scale sink on one side; it is the scarcity of coin, of money, which has made it rise on the other.

I will not deal with this point at length, for all the arguments are known to you. This scarcity of money, this scarcity of gold, which has become the sole standard in all the countries of Europe and America, has necessarily had an unfavourable influence upon commerce and industry.

Mr. Weber told us also that the fall in the price of the white metal was wrongly attributed to its demonetisation instead of to the increased production. In my opinion, the chief cause of the fall in the gold price of silver has been the enormous decrease in the monetary use of silver during the last 20 years, in consequence of the legislative measures which date from the new monetary law enacted in Germany.

Mr. Weber spoke about the abundance of gold, and he drew our attention to the position of the great banks, from which he argued in proof of that abundance. I wish I had here the figures which show how open to criticism such reasoning is. It is impossible to consider merely the actual amount of gold held in the reserve by the banks. We must take into account also the proportion between their gold reserve and their obligations, between their assets and their liabilities, and further, of the movements of the currency in the various countries.

Unfortunately, gentlemen, I have not at this moment the figures which would enable me to reply in detail to Mr. Weber; but I would remind you that Mr. Soetbeer, whose name you will certainly allow me to quote as an authority above suspicion, since he was not a bi-metallist, has clearly proved in his last work that the abundance of gold in the banks is not the result of an absolute increase in the stock of gold.

Further, if an appeal is made to the abundance of gold, it is not sufficient to consider only the position of the banks. I ask anyone who reads regularly the weekly or monthly reports on the state of the great European markets whether he has not found in these documents not a proof of the abundance of gold, but an indication of the relative scarcity of that metal? In all recent reports on the great financial market of London we have been used to see almost always that "capital is abundant, and the rate of interest on loans is low; but at the same time there is uneasiness because there is a question of withdrawals of gold." At a time when capital is extremely abundant, when the rate of interest is extraordinarily low, the news of the withdrawal of 1,000,000% frightens the London market.

Besides this, gentlemen, what Mr. de Rothschild has told us, in the introduction to his proposal, about the position of the great money markets does not seem to me in any way to bear out that abundance of gold of which Mr. Weber speaks.

As regards trade Mr. Weber has produced certain figures which refer to 1890. We all know that during the last twenty years there have been ups and downs of commercial activity. After the great fall in prices, which had continued for a long time, a sort of new equilibrium between prices and the stock of money was set up about the year 1888. It was then that a reaction took place, after which a development in business was to be observed. But this development did not last long.

If, instead of giving us the figures of trade in 1890, Mr. Weber had been so good as to give us those for the present year, I think that the results at which he arrived would have been entirely changed. But further, in spite of all the harm that the monetary situation has done to Europe, the record that we have to make is not solely of disaster. A development of trade and industry has at the same time been brought about by other causes, and is seen in conjunction with other and less favourable phenomena.

But what is the development of trade of which we find the traces in the statistics of the last twenty years, when we compare it with the development which took place before that period?

Mr. Weber spoke of the dangerous abundance of silver—I am not sure whether I reproduce his phrase exactly—and he has given us hints of most alarming prospects if we rehabilitate silver. But, gentlemen, let me remind you that the prophets of evil have already been deceived more than once. From 1850 to 1860 the anxieties which prevailed on the subject of the abundance of gold were as great as those now felt by Mr. Weber and others as to the abundance of silver. Mr. Weber is at any rate in good company. At that time Mr. Michel Chevalier was disturbed by this vast abundance of gold, and urged the demonetisation of that metal and the adoption of the silver standard.

You know, gentlemen, what came of those prophecies, and I do not think that we ought to be any more alarmed by the similar prophecies which are made as to the abundance of silver.

What is the state of things that we see at present? We see that in those countries which have a gold standard prices have fallen enormously, and that, on the contrary, in the countries which have a silver standard, in spite of the unfavourable treatment of silver in Europe, and in spite of the diminution in its uses, the relation of value between money and goods has remained almost exactly what it was twenty years ago. They try to frighten us by pointing to the dangers which ensue from the abundance of silver, and yet I repeat that in spite of the unfavourable position in which silver is placed, we fail to observe in silver-standard countries any of the evil results which ought to follow from that abundance.

I pass now to another point, and in the first place I wish to comment upon a remark of Mr. Sainetelette's. He expressed the opinion that the responsibility for the monetary situation of which we complain—Mr. Weber will excuse me for saying so, and for adding that if we pay attention to the monetary situation the reason is that there are several of us here who think that we have reason to complain of it—Mr. Sainetelette, I say, expressed the opinion that the responsibility for the monetary situation which we desire to remedy rests upon the United States.

To this remark of Mr. Sainetelette, whom I am sorry not to see amongst us, Mr. Cannon immediately replied in a few words, and Mr. Andrews, in the speech which he has just made, has dealt further with the statement. I think, gentlemen, that it is the duty of those who do not agree with Mr. Sainetelette, and who represent countries on this side of the Atlantic, to give their opinion upon the point.

For my part, I protest against Mr. Sainetelette's statement that the monetary situation, from the effects of which we are suffering, is due to the monetary policy

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of the United States. It is true that I am as little inclined as he is to approve of the silver purchases which have been made for the purpose of carrying out the Bland Bill and the Sherman Bill; but I believe that the existing monetary situation was first of all produced by the monetary policy pursued in Europe in 1870 and since that date. At that time the delusive belief prevailed that it was possible to pass from the double standard to the gold standard, and an attempt was made to realise that ideal of a single gold standard.

The United States shared this illusion up to a certain point, but they were the first to discover their mistake. They saw that the most obvious result of this policy was contraction of the currency, with all the commercial and social evils which are created thereby. It was then that the United States endeavoured to counteract this monetary policy, and had recourse to measures which are disapproved by us, and, indeed, by a great number of Americans even; but they were driven to this course because Europe refused to join in the really good measures which they proposed to us, because Europe refused to form an international bi-metallic agreement, and to unite in a measure which the United States alone were unable to carry out.

It seems to me, therefore, unjust and contrary to historical facts to try to lay the burden of responsibility for the present situation upon the United States.

I wish to call attention too, gentlemen, to a remark made by our honourable colleague, Mr. Currie, on the subject of the more or less artificial devices for remedying the situation which it seemed were to engage our attention. In speaking of artificial devices, Mr. Currie, who unfortunately is not present, had no doubt in view Mr. de Rothschild's proposal among others, though he did not expressly mention it. At any rate, generally esteemed organs of the European Press have spoken of Mr. de Rothschild's scheme, and of the general line taken by our debates, as artificial devices for remedying the situation. To quote two examples only, Mr. Leroy Beaulieu in the "*Journal des Débats*" and in the "*Journal des Économistes*," and, in England, the "*Economist*," have spoken of "artificial devices" and have told us that instead of attempting to remedy matters by artificial means, we should do better to allow things to follow their natural course.

It may be useful, gentlemen, to give some explanation on this point, and I think that I may assert that we are not in any way concerned with artificial devices.

What was the object of Mr. de Rothschild's proposal? To secure again an increased use of silver in currency. It is clear that in that there is nothing artificial. What would be really artificial would be to attempt to diminish the production of silver by the imposition of taxes. To attempt to influence by a measure of this kind the production of any article, whether it be precious metal or any other commodity, that is what, in my opinion, constitutes an artificial measure.

But what is proposed here? No one will deny that the use made of a commodity has a very considerable influence on the price of that commodity, and upon the relation between its value and the value of other products; and it is equally clear that the monetary use of the precious metals exercises a most important influence on the relation between their value and that of other commodities.

There would be much to say on this subject, but allow me only to remind you of what was recently said at Manchester by Mr. Balfour:—

"What primarily determines relative values is not cost of production, but demand and supply, and not only may governments have an effect upon demand and supply, but every day they do affect demand and supply, and the whole existing currency legislation of the world—be it the currency legislation of bi-metallic France, or the currency legislation of America, which I cannot qualify—any one and all of their different systems of legislation do affect the demand for the precious metals, gold and silver, and by affecting the demand they do affect the relative prices."*

That is an authority that may well be quoted. It is asserted then that the value of the precious metals, the ratio of their value to that of other commodities, depends in the first place on the use made of them as money metals.

To counteract by legislation what has been done during the last 20 years to diminish this use cannot be called an artificial measure. I think then that we ought to protest, and to declare that there would be nothing artificial in taking measures of the kind that we have been discussing for the last fortnight.

If you will allow me, gentlemen, I would say a few words more on this subject. The term "artificial measures" has often been used, and the bi-metallist movement

* Mr. Balfour's speech at Manchester, October 27, 1892.

has been compared with the protectionist movement, with the object of establishing a connexion between them. For my own part I think that the protectionist movement is in great part due to the results of the monetary situation; but I think I can also assert that there is not the least relation between bi-metallism and protection. I think, on the contrary, that bi-metallism and free trade are, so to speak, equivalent terms. What, gentlemen, is Free Trade? Allow me to quote this authoritative definition of it, that "Free Trade, in the widest definition of the term, means only the "division of labour by which the productive forces of the whole earth are brought into mutual co-operation." It was Richard Cobden who said this, and he says further that to-day commerce is the great panacea which like a beneficent medical discovery will serve to inoculate all the nations of the world with health and a wholesome taste for civilisation.

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Here is another authority :—

"Every obstruction to commerce is a tax upon consumption, every facility to free exchange cheapens commodities, increases trade and production, and promotes civilisation. Nothing is worse than sectionalism within a nation, and nothing is better for the peace of nations than unrestricted freedom of intercourse and commerce with each other. No single measure will tend in this direction more than the adoption of a fixed international standard of value, by which all products may be measured, and in conformity with which the coin of a country may go with its flag into every sea, and buy the products of every nation, without being disconcerted by the money changes."

This last quotation is from Senator John Sherman. It is taken from a Report presented to the American Senate in 1868.

You see, gentlemen, in speaking of free trade we are led to speak of bi-metallism. Free trade requires bi-metallism, because in the present state of matters bi-metallism alone can give an identical standard to the whole commercial world.

In advocating bi-metallism we do not then unite with protectionists. We show on the contrary that we are free-traders in advocating a measure which is absolutely necessary to the facility of commercial transactions. The matter was, in fact, so understood by the great friend of Richard Cobden, Sir Louis Mallet, whose book "On Free Exchange" is from end to end an argument in favour of free trade and bi-metallism.

One word more to conclude. Mr. de Rothschild's proposal has been withdrawn, and before he withdrew it we heard Sir Rivers Wilson declare in his own name and in that of Sir Charles Fremantle that, considering the proposal had not been received in a sufficiently favourable manner by the great majority of Powers represented in the Conference, the British Delegation would be unable to recommend it to their Government.

I think I am not mistaken in saying that this declaration and the withdrawal of Mr. de Rothschild's proposal were a great disappointment to many of us.

The cordial reception of Mr. de Rothschild's proposal by the Conference and the friendly attitude of his above-named colleagues, raised a hope that the proposal might have been revived, and that Mr. de Rothschild, taking into consideration the different opinions stated at the Conference, would have been inclined, not to withdraw his proposal, but to modify it in such a manner as to give satisfaction to all.

Gentlemen, I spoke to you just now in regard to what was said the day before yesterday by Mr. Sainetelette, of the responsibility which should or should not be laid upon the United States of America in respect to the present monetary situation. I cannot help recalling to you on this subject an episode of the Conference of 1881.

At the sitting of the 6th of July the English Delegates made a declaration to the effect that the Bank of England would undertake to carry out the provision of the Act of 1844, which authorises it to make one-fifth of its metallic reserve consist of silver, on the condition that a bi-metallic league was formed, including several great States. To this proposal Mr. Pierson, one of the Delegates of the Netherlands, and now Minister of Finance, made a most interesting answer, which you may read on page 124 of the Minutes (English Version), and which, stated in a few words, amounted to this. You believe, he said to the English Delegates, in the efficacy of the measures that you want others to take, but you do not wish to associate yourselves with them. You are a little too much inclined to leave to others alone the task of

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getting all of us, including yourselves, out of the difficulty. That is neither just nor reasonable. If you want anything done you must go further yourselves.

Well, let me say frankly, that in the position that Sir Rivers Wilson, Sir Charles Fremantle, and Mr. de Rothschild have taken up there is, it seems to me, something that recalls the position of the English Delegates in 1881.

It has been duly recognised by Mr. de Rothschild that England is seriously concerned in something being done to remedy the present situation, and on that point he has not found, and will not find, many here to contradict him. We have, moreover, the speeches of the honourable Delegates from British India, which clearly prove the truth of the facts. If so, why should not England make a more serious effort to extricate herself and us from the difficulty.

It is said in one of the most thoughtful organs of public opinion in England, the "Manchester Guardian," in its number of the 6th instant, that England and British India, in conjunction with the United States of America, hold the key of the situation and have the power to give us the solution of the monetary question and to decide the monetary system that the whole commercial world shall adopt. And I believe that this can really be said without exaggeration.

But in that case let England consider this position. One of two things should take place; either let her recognise that it is only international bi-metallism that can save us, or else let those who reject this solution make proposals which really meet the difficulties of the present situation, and in which sufficient account is taken of the different circumstances of the various countries which will be required to lend their aid.

The Session adjourned at 5 o'clock.

APPENDIX A. TO THE MINUTES OF THE SIXTH SESSION.*

BANK OF THE NETHERLANDS.
VARIATIONS IN THE STOCK OF GOLD.SIXTH
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Appendix A.

Date.	Foreign Coin and Bar-Gold.	Current Coin of the Netherlands.	Total.	Exchange on London during the Month.	Discount.
1880-81.					
In thousands of florins:					
5 April - - - -	37,676	40,936	78,606	12.07 ⁵ to 11 ⁵	3
3 May - - - -	37,975	40,919	78,894	12.07 to 09 ⁵	
5 June - - - -	39,412	40,901	80,313	12.09 to 10 ⁵	
3 July - - - -	39,471	40,904	80,375	12.08 to 10 ⁵	
7 August - - - -	39,630	40,888	80,518	12.09 ⁵ to 13	
4 September - - -	34,941	40,869	75,810	12.10 ⁵ to 13 ⁵	
2 October - - - -	19,659	40,857	60,516	12.08 to 11 ⁵	
6 November - - -	17,440	40,850	58,290	12.07 ⁶ to 10	
4 December - - -	16,576	40,882	57,458	12.07 to 12 ⁵	
8 January - - - -	15,975	40,898	56,873	12.07 to 11	
5 February - - - -	16,005	40,802	56,807	13.10 to 15	3½—4
3 March - - - -	11,301	40,719	52,020	12.13 to 14 ⁵	
1881-82.					
2 April - - - -	5,313	40,737	46,050	12.09 ⁵ to 12 ⁵	4½
7 May - - - -	4,718	40,666	45,384	12.05 ⁵ to 09 ⁵	
4 June - - - -	9,295	40,679	49,974	12.04 ⁵ to 10 ⁵	
2 July - - - -	9,744	40,988	50,732	12.07 to 10	
6 August - - - -	9,819	40,946	50,765	12.07 ⁵ to 14 ⁵	
3 September - - -	2,193	38,219	40,412	12.13 ⁵ to 15 ⁵	
1 October - - - -	"	27,100	27,100	12.11 to 14 ⁵	
5 November - - -	26	19,014	19,040	12.09 to 11 ⁵	
3 December - - -	26	18,116	18,142	12.07 to 11	
7 January - - - -	106	18,022	18,128	12.05 to 13 ⁵		5
4 February - - - -	"	13,889	13,889	12.12 ⁵ to 14 ⁵	
4 March - - - -	"	7,941	7,941	12.06 to 13	
1882-83.					
1 April - - - -	43	8,977	9,020	12.05 to 07	4½
6 May - - - -	2,030	13,247	15,277	12.03 ⁵ to 06 ⁵	
3 June - - - -	5,596	15,446	22,042	12.06 ³ to 11	
1 July - - - -	6,703	15,571	22,274	12.07 ⁵ to 11	
5 August - - - -	6,794	15,236	22,030	12.09 to 14	
2 September - - -	2,163	15,345	17,508	12.13 to 14	
7 October - - - -	1	11,535	11,536	12.10 ⁵ to 14 ⁵	
4 November - - -	1	11,194	11,195	12.09 to 11 ⁵	
2 December - - -	1	8,770	8,771	12.09 to 11 ⁵	
6 January - - - -	1	5,028	5,029	12.06 ⁵ to 09 ⁵		5
3 February - - - -	123	5,004	5,127	12.05 to 08	
3 March - - - -	3,237	5,454	8,691	12.04 ⁵ to 06	
1883-84.					
7 April - - - -	10,795	7,416	18,201	12.04 to 05	4½
5 May - - - -	25,262	18,111	43,373	12.04 ⁵ to 10	
2 June - - - -	28,331	18,231	46,564	12.12 to 14	
7 July - - - -	27,269	18,341	45,610	12.12 to 14	
4 August - - - -	17,935	18,318	35,253	12.12 ⁵ to 14	
1 September - - -	11,330	18,377	29,707	12.10 to 14 ⁵	
6 October - - - -	9,708	18,457	28,165	12.07 to 10	
3 November - - -	9,813	18,626	28,439	12.07 to 08 ⁵	
1 December - - -	8,130	18,694	26,824	12.08 ³ to 11	
5 January - - - -	4,734	18,786	23,520	12.08 ⁵ to 09 ⁵		5
2 February - - - -	4,761	18,810	23,571	12.09 ³ to 12 ⁵	
1 March - - - -	4,583	18,883	23,466	12.08 ⁵ to 12 ³	

* See p. .

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Appendix A.

Bank of the
Netherlands.

Date.	Foreign Coin and Bar-Gold.	Current Coin of the Netherlands.	Total.	Exchange on London during the Month.	Discount.
1884-85.					
In thousands of florins.					
5 April - - - -	4,632	19,089	23,721	12.03 ³ to 03 ⁵	3-24
3 May - - - -	14,527	19,237	33,764	12.03 ⁵ to 11 ⁵	
7 June - - - -	24,843	19,378	44,221	12.11 ⁵ to 13	
5 July - - - -	24,115	19,398	43,513	12.09 to 11	
2 August - - - -	24,143	19,420	43,563	12.09 ⁵ to 12 ⁵	
6 September - - -	23,271	19,493	42,764	12.10 to 12	
4 October - - - -	21,858	19,531	41,389	12.09 ⁵ to 12	
1 November - - -	12,082	19,563	31,645	12.11 to 13	
6 December - - -	8,811	19,640	28,451	12.11 to 13 ⁵	
3 January - - - -	7,489	19,696	27,185	12.08 ⁵ to 11 ⁵	
7 February - - - -	7,905	19,725	27,630	12.08 to 09	
7 March - - - -	10,143	19,761	29,904	12.08 ⁵ to 09	
1885-86.					
4 April - - - -	16,109	19,788	35,897	12.07 to 10 ⁵	
2 May - - - -	18,651	19,815	38,466	12.05 to 09 ⁵	
6 June - - - -	20,438	19,844	40,282	12.04 to 05 ⁵	
4 July - - - -	20,616	22,416	43,032	12.03 to 05	
1 August - - - -	25,193	22,643	47,836	12.06 to 07 ⁵	
5 September - - -	25,233	22,658	47,891	12.03 ⁵ to 09 ⁵	
3 October - - - -	24,019	22,678	46,697	12.05 to 07	
7 November - - -	24,430	22,704	47,134	12.04 to 04 ⁵	
5 December - - -	24,914	22,831	47,745	12.04 to 06 ⁵	
2 January - - - -	25,069	22,854	47,923	12.05 to 06 ⁵	
6 February - - - -	27,900	22,881	50,781	12.04 ⁵ to 05 ⁵	
6 March - - - -	36,381	22,906	59,297	12.03 ⁵ to 05	
1886-87.					
3 April - - - -	45,874	22,920	68,794	12.04 ⁵ to 06	
1 May - - - -	49,858	22,948	72,806	12.05 ⁵ to 08 ⁵	
5 June - - - -	52,475	23,022	75,497	12.05 ⁵ to 08 ⁵	
3 July - - - -	55,475	23,036	78,511	12.05 to 07	
7 August - - - -	57,412	23,033	80,445	12.06 to 11 ⁵	
4 September - - -	56,139	23,040	79,179	12.09 to 11	
2 October - - - -	55,830	23,053	78,883	12.08 ⁵ to 10	
6 November - - -	55,824	23,067	78,891	12.10 ⁵ to 12	
4 December - - -	48,761	23,070	71,831	12.09 to 10 ⁵	
8 January - - - -	43,490	23,083	66,573	12.09 to 12	
5 February - - - -	36,737	23,076	59,813	12.10 to 12 ⁵	
5 March - - - -	35,359	23,081	58,440	12.08 ⁵ to 12 ⁵	
1887-88.					
2 April - - - -	34,720	23,075	57,795	12.04 ⁵ to 07 ⁵	
7 May - - - -	35,812	23,099	58,911	12.04 ⁵ to 05 ⁵	
4 June - - - -	37,474	23,109	60,583	12.05 to 06 ⁵	
2 July - - - -	37,973	23,140	61,113	12.05 to 07	
6 August - - - -	38,043	23,178	61,221	12.07 to 13	
3 September - - -	32,975	23,173	56,148	12.11 to 12 ⁵	
1 October - - - -	26,295	23,175	49,470	12.08 to 10	
5 November - - -	25,107	23,176	48,283	12.06 to 08	
3 December - - -	25,408	23,182	48,590	12.05 ⁵ to 08 ⁵	
7 January - - - -	25,437	23,188	48,625	12.04 ⁵ to 05	
4 February - - - -	28,427	23,176	51,603	12.04 to 05	
3 March - - - -	30,323	23,190	53,513	12.03 to 05 ⁵	
1888-89.					
7 April - - - -	34,710	23,182	57,892	12.02 ⁵ to 04	
5 May - - - -	41,748	23,214	64,962	12.07 to 09	
2 June - - - -	42,479	23,218	65,697	12.06 to 08	
7 July - - - -	43,444	23,204	66,648	12.05 to 06	
4 August - - - -	44,847	23,200	67,047	12.05 to 09 ⁵	
1 September - - -	45,730	23,204	68,934	12.08 ⁵ to 10	
6 October - - - -	45,237	23,197	68,434	12.09 to 12	
3 November - - -	37,842	23,185	61,027	12.07 to 09	
1 December - - -	37,897	23,146	61,043	12.08 ⁵ to 10	
5 January - - - -	37,903	23,152	61,055	12.07 ⁵ to 08 ⁵	
2 February - - - -	37,948	23,158	61,106	12.07 ⁵ to 09 ⁵	
2 March - - - -	38,054	23,165	61,219	12.08 to 10 ⁵	

Date.	Foreign Coin and Bar-Gold.	Current Coin of the Netherlands.	Total.	Exchange on London during the Month.	Discount.
1889-90.					
In thousands of florins :					
6 April - - - - -	37,601	23,162	60,763	12.06 to 08	
4 May - - - - -	38,328	23,159	61,487	12.05 to 06	
1 June - - - - -	42,672	23,171	65,843	12.06 to 08	
6 July - - - - -	43,303	23,166	66,469	12.05 to 07	
3 August - - - - -	43,291	23,161	66,452	12.07 to 10	
7 September - - - - -	42,953	23,175	66,128	12.09 ⁵ to 11	
5 October - - - - -	40,526	23,177	63,703	12.09 to 10 ⁵	
2 November - - - - -	40,341	23,193	63,534	12.07 to 09	
7 December - - - - -	38,909	23,222	62,131	12.06 to 08	
4 January - - - - -	37,488	23,234	60,722	12.08 ⁵ to 11	
1 February - - - - -	37,545	23,226	60,771	12.11 to 12 ⁵	
1 March - - - - -	33,839	23,242	57,081	12.08 to 12 ⁵	
1890-91.					
5 April - - - - -	32,917	23,288	56,205	12.04 to 05	
3 May - - - - -	33,341	23,267	56,608	12.03 ⁵ to 04	
7 June - - - - -	38,014	23,291	61,305	12.04 to 06 ⁵	
5 July - - - - -	38,073	23,290	61,363	12.05 to 09	
2 August - - - - -	38,123	23,279	61,402	12.08 to 11 ⁵	
6 September - - - - -	34,456	23,283	57,739	12.08 to 10	
4 October - - - - -	34,493	23,283	57,776	12.07 ⁵ to 08 ⁵	
1 November - - - - -	32,646	23,310	55,956	12.09 to 14	3
6 December - - - - -	16,190	23,317	39,507	12.04 ⁵ to 09 ⁵	3½-4½
3 January - - - - -	15,896	23,341	39,237	12.02 to 04 ⁵	4-3½
7 February - - - - -	27,064	23,359	50,423	12.06 ⁵ to 07 ⁵	3
7 March - - - - -	27,118	23,362	50,480	12.05 to 07 ⁵	
1891-92.					
4 April - - - - -	27,146	23,373	50,519	12.06 to 08 ⁵	
2 May - - - - -	23,338	23,373	46,717	12.08 ⁵ to 11 ⁵	
6 June - - - - -	23,401	23,413	46,814	12.05 ⁵ to 09 ⁵	
4 July - - - - -	23,616	23,428	47,044	12.03 ⁵ to 04 ⁵	
1 August - - - - -	29,411	23,439	52,850	12.04 ⁵ to 09	
5 September - - - - -	19,190	23,462	42,652	12.07 to 09	
3 October - - - - -	19,190	23,460	42,650	12.07 to 08	
7 November - - - - -	19,204	23,474	42,678	12.06 to 08	
5 December - - - - -	19,204	23,518	42,722	12.07 ⁵ to 09	
2 January - - - - -	15,220	23,537	38,757	12.07 ⁷ to 09 ⁷	
6 February - - - - -	14,441	23,545	37,986	12.08 ⁶ to 12 ¹	
5 March - - - - -	14,490	23,586	38,076	12.09 ⁶ to 11	
1892-93.					
2 April - - - - -	14,535	23,614	38,149	12.07 ⁶ to 09 ²	
7 May - - - - -	14,707	23,629	38,336	12.07 ⁷ to 08 ³	2½
4 June - - - - -	14,840	23,654	38,494	12.08 ⁵ to 09 ⁵	
2 July - - - - -	14,911	23,669	38,580	12.08 ⁷ to 10 ³	
6 August - - - - -	14,942	23,674	38,616	12.10 ⁷ to 11 ⁵	
3 September - - - - -	14,268	23,705	37,973	12.10 to 11 ³	
1 October - - - - -	14,268	23,728	37,996	12.07 to 09 ²	

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APPENDIX B. TO THE MINUTES OF THE SIXTH SESSION.

Appendix B.

Mr. Allard's
proposal.PROPOSAL for a COMPROMISE, suggested by MR. ALPHONSE ALLARD, Delegate of
Belgium and Turkey.

Brussels, December 8, 1892.

I.

ORIGINS.

THE mass of precious metals, that is to say of gold and silver, in the world forms, it seems, a sort of common possession of the various nations. They pass from one nation to another; they exchange wealth and facilitate its just distribution, and they regulate general prices.

Between 1848 and 1851 the production of these metals increased in a degree unprecedented in history. In a few years the gold from California and Australia had doubled the amount of gold and silver money actually circulating in the world.

In spite of the efforts of a school which was at that time new, gold was not demonetised. Up to that time the business world had not suspected that there was such a thing as a monetary question. We therefore refused to try so bold and dangerous an experiment.

Under the influence of abundant money and the rise of prices there was such a rapid growth of progress, of commercial intercourse, of enterprise, and of production that the amount of gold soon became insufficient for the continually increasing demands upon it. The Bank of England was so much in need of the metal in 1860 that it was compelled to borrow 52,000,000 francs in gold (£2,080,000) from the Bank of France. It was for civilisation an era of business, of prosperity, of work, and of abundance, which lasted till 1873.*

In 1873 silver was demonetised in Europe, in accordance with the theories which had not prevailed in 1851.

Silver had not fallen in value,† and had given rise to no anxiety; and yet it was deprived of the right of being used as money, and was forbidden to enter Europe. It is confidently stated that this action was a serious blow to freedom of trade.

In 1870, that is to say three years before this prohibition, it had been foretold that such a step would be inevitably followed by a revolution in prices, by a general fall in values, and by a serious crisis.‡

This crisis, which was foretold in 1870, is now, it is said, in action. The disturbances which it produces are the more unjust and the more profound since the fall in prices is not produced by the development of labour or by the abundance of wealth, but by an artificial cause, which is none other than the law proscribing silver and thereby producing appreciation of gold.

No variation in the level of prices can be observed in silver countries. It follows therefore that the depreciation of silver in Europe is only produced by the appreciation of gold.

It is said that this artificial fall in prices caused by the appreciation of gold, has for its results terrible social inequalities, the ruin of our agriculture, the slackness of our industries, the distress of our workmen, and the uneasiness which prevails everywhere.

For 20 years there has been a continual endeavour on all sides to find some other cause, but none has been discovered; and therefore no more effectual remedy has been found than the monetary remedy.

It appears to me that the task to which this Conference of 1892 is specially called is to counteract the evil of the fall of prices and the artificial appreciation of gold, and to combat the instability of exchange between the gold countries, which constitute one-third of the world, and the silver countries which form the other two-thirds.

* See Mr. Allard's graphic diagrams. Plate I. [These diagrams were not printed in the Proceedings of the Conference.]

† See Mr. Allard's graphic diagrams. Plate III., 1873.

‡ Wolowsky; Baron de Rothschild. See Mr. Allard's graphic diagrams. Plate III., 1870.

II.

PRESENT POSITION.

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Appendix B.

Mr. Allard's
proposal.

The remedy which appears to be indicated is the repeal of the laws passed in 1871-76 in Germany and in the Latin countries. The evil would thus be removed by removing its cause, and by re-establishing bi-metallism, if not universally, at any rate over a sufficiently large area.

This proposal was made 14 years ago at Paris. It was made again by the United States and France in 1881, and it reappears for the third time at Brussels in 1892.

It seems, for the moment, to meet with obstacles, which it would be useless to pretend not to see. The following seem to me to be the chief of them:—

1. The enormous difference of 36 per cent. between the value of the two metals, which has been produced by the appreciation of gold.
2. The gold standard, to which, rightly or wrongly, several important European countries cling.
3. The artificial inequalities produced by the exchanges, which, since they are unfavourable to some, are, for that very reason, advantageous to others.
4. The difficulty of proposing additions to the coinage of those countries which already hold very large stocks of their own silver coins.

Thus if we are to find a remedy for the fall in prices and to increase the stock of money in international circulation, we must keep in view nothing but the gold standard, we must put more silver into circulation, and we must coin no more silver.

Undoubtedly the problem seems arduous and difficult, but I think that it is not insoluble.

The basis of the compromise which I suggest is borrowed from the United States.

III.

COMPROMISE.

I think it was about 1889 that the Government of the United States proposed to Congress a very ingenious method for restoring to silver its function in the currency, by attaching to it its true gold value. Every silver dollar was to become an "honest dollar."

The Government of the United States was convinced that civilisation would never be able to dispense with the assistance of silver, in addition to gold; but at the same time it was opposed to the free coinage of that metal without the co-operation of Europe, because it was afraid of entering too plainly on the road leading to the silver standard.

With a view to avoiding this danger, it was proposed that the United States should prohibit all coinage of silver, except so far as was necessary for their home circulation. They proposed to open their mints for the free deposit of silver bars, and to pay for this silver in Treasury notes at the market price of the day on which the deposit was made.

These Treasury notes would be payable in gold or silver at the option of the Treasury; but if payment were made in silver, the holder would be entitled to receive a variable quantity of silver, equal to the amount of silver which could be bought on the day of payment by the number of gold dollars expressed on the face of the note.

Thus the number of dollars expressed on the face of the *silver note* was in reality to represent a *fixed value in gold*.*

The United States, while having in circulation both gold and silver dollars, would have had all its dollars of the same value, based solely upon the gold standard.

The theory of mono-metallism found its principles applied in such a system as this, and would no doubt have been satisfied with it.

At the same time the silver which had been withdrawn during sixteen years from the national markets was to be restored to them. The use of silver was to be the means of facilitating commercial transactions, and was again to assist to re-establish and raise the level of prices throughout the world.

* MEASURE RECOMMENDED.—Issue Treasury notes against deposits of silver bullion at the market price of silver when deposited, payable on demand in such quantities of silver bullion as will equal in value, at the date of presentation, the number of dollars expressed on the face of the notes, either in gold, at the option of the Government, or in silver dollars at the option of the holder. Repeal the compulsory feature of the present Coinage Act. (William Windom, Secretary's Report for 1889.)

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The bi-metallists also would doubtless have declared themselves satisfied with the proposal.

These Treasury notes, issued against silver, would have been admitted, just as gold dollars, for payment of Custom dues and taxes, and would have been used as reserves for banks of issue.

The holders of the silver notes would have had the right to a *quantity of silver* equivalent to the number of gold dollars expressed on the face of the note. It would not, however, be the value of the silver dollar which would vary; it would be, in reality, the volume of silver contained in the dollar which would increase or diminish in accordance with the course of the market, just as our lungs adapt their capacity to the rarity or density of the atmosphere in order to secure regularity in our vital circulation.

It seems to me that this law, proposed three years ago to the Congress of the United States, might provide the Conference with an excellent basis for a compromise.

If it were extended to an international agreement it would certainly steady the silver market. In issuing silver notes the States would not be exposed to losses. The payment of silver notes might be effected with a smaller quantity of metal; and whatever the losses, if any, might be, they would be infinitely less burdensome than the profound social disturbances which at the present moment affect the prosperity and the financial resources of all the countries in the world.

We must recognise that the monetary question is presented to us in the form of a dilemma. *Either we must take some remedial action in common, or the crises which are so dangerous to social order will continue.* The American project of 1889 would perhaps be difficult for a single nation to carry into effect; but it is worth while, I think, for the Conference to study the means of applying it to an international treaty, and the co-operation of the Delegates of the United States would tend to facilitate this task.

IV.

AGREEMENT.

The agreement would consist, in accordance with what has been said, in authorising the contracting States to buy silver freely within certain limits for the account of all the States in common, under conditions to be laid down in the treaty. Payment would be made in Treasury notes, and there would be no obligation to strike any coin. No State would be required to modify its monetary laws, and each would remain free to retain its own monetary unit. It would be sufficient to permit the international circulation of the Treasury notes at a rate of exchange to be stated upon the note itself, while the silver, which serves as guarantee, would remain at the place where it was originally deposited.

There is no reason why so simple a treaty should not extend only to a limited period, by way of experiment, with power to prolong it by a fresh treaty or by tacit consent.

The stocks of silver guaranteeing the notes might, by the treaty, be constituted a sort of international fund held in common. The various countries would undertake to contribute to any possible losses in proportion to their area, their population, their trade, their debt, or any other basis upon which they might agree.

No State would be bound to buy silver, but the profit upon the purchases—the profit which would arise from the probable rise in price of silver, and from the resulting surplus in the deposits—would remain the property of the purchasing State.

Such an agreement would bring about the general rise of prices, which is so eagerly desired, and consequently silver would soon be restored to its former price without any violation of the single gold standard, which, more than ever, will serve as the basis of value in the various countries, or of the law of supply and demand, to which appeal is so often made.

V.

FUTURE CONVENTION.

It seems likely that such an agreement would, in a relatively short time, restore the abundance of international money, and would, as a result, raise prices, including that of silver.

It is very possible, if not probable, that the rise of silver might bring it to *par* (15½ kilograms of silver being equal to 1 kilogram of gold, or any other agreed ratio); it would then be possible to propose to the various States that they should follow the

suggestion made in a striking essay by Mr. Rocchussen, formerly Minister of the Netherlands, which gained the prize of 10,000 francs given in 1889 for the best solution of the monetary difficulties.

The agreement which would be proposed to them would be even more simple than that of which I have just sketched the main lines.

Each nation would remain free to give to its coins the form, the title, the design, and the fineness which it preferred. Each would select what metal it liked. No undertaking would be required as to fiduciary circulation. The only undertaking would consist in mutual insurance against all fluctuations in the value of gold and silver, the ratio between which would be fixed in the treaty. For this purpose, the contracting parties would undertake to communicate to each other, at a later meeting, the text of laws or regulations, by virtue of which in each State no bank should have the right of issue, except upon condition of buying freely with Treasury notes all the gold and silver offered to it at the ratio of price fixed in the treaty.

Provided that this ratio be maintained, each State would be absolutely free to use its gold and silver as it liked.

When once this treaty had been sanctioned by law, it seems to me that it would be impossible for either of the metals to become depreciated. If a law to this effect were passed by a sufficient number of Great Powers, it can hardly be doubted that it would produce the same result as the French law alone produced with such facility during the century which preceded 1873.

The economic life of the world would undergo a transformation; the restored regularity of exchanges would soon bring back tranquillity, and their stability would re-establish the relations, now broken, between the two-thirds of the world which have nothing but silver, and our one-third which reckons only in gold.

And further, if, contrary to all expectation, the result should belie our hopes, nothing would be easier than to withdraw, by mutual consent, from the one simple undertaking which would have been given.

It would merely be necessary to modify the rule imposed on the banks of issue, by permitting them to suspend their purchases of silver.

But I think I may add that none of the signatories would ever wish to withdraw, for they would thereby change for the worse the conditions affecting their exchanges. This would be a most solid guarantee, for the best treaties are those whose maintenance is to the interest of those who sign them.

ALPH. ALLARD,

Delegate of Belgium and Delegate of Turkey.

SIXTH
SESSION.

Appendix B.

Mr. Allard's
proposal.

SEVENTH SESSION.

Saturday, December 10th, 1892.

MR. MONTEFIORE LEVI, President, in the Chair.

All the Delegates were present, with the exception of MR. TIETGEN, *Delegate of Denmark*, MR. JONES, *Delegate of the United States*, MR. VAN DEN BERG, *Delegate of the Netherlands*, and MR. LARDY, *Delegate of Switzerland*.

The Session was opened at 2 o'clock.

The Minutes of the Fifth Session were approved.

MR. SIMONELLI (*Delegate of Italy*) made, in regard to the Minutes of the Sixth Session, a declaration which is here given in abstract:

At the Sixth Session Mr. Cramer-Frey, in his interesting speech, said that if France would undertake the re-coinage of the ten-franc gold pieces, and if Italy should agree to withdraw from circulation her notes of five and ten francs, there would be a void in the circulation which could be filled by silver money. In this way it was proposed to obtain a considerably increased use of silver.

Without entering upon the effect on the currency of the re-coinage of small gold pieces, Mr. Simonelli, in the name of his colleagues as well as for himself, desired to state that an agreement on the part of Italy to withdraw her small notes, either immediately or at a time fixed by monetary treaty, would bring no relief to the silver situation. He made this declaration both in the interest of the credit of his country and because some might be led to believe that the conduct of Italy was opposing an obstacle to the establishment of an international agreement, in which so many legitimate interests and laudable efforts were centred.

The Italian Government, on the contrary, was disposed to aid as best it might the accomplishment of this purpose. However, it was convinced that the withdrawal of five and ten-franc notes would not lead to any increase in the circulation of silver in Europe. Italy had in circulation only 336,000,000 francs in State notes of five and ten francs, based upon a metallic reserve—two-thirds gold and one-third silver—which covered about one half that sum. The States of the Latin Union were not unaware, however, that these 336 millions represent an almost equal amount of five-franc pieces bearing the stamp of Italy, circulating beyond its borders. The withdrawal of small notes would cause these coins to return at once to Italy in order to supply the medium of exchange necessary for small internal transactions. The suppression of State notes of less than 20 francs would, therefore, have no influence on the more extended use of silver coins.

It should not be forgotten, moreover, that the Italian five-franc pieces are deposited in the Italian Treasury or else in the vaults of the banks of the Latin Union, and particularly of the Bank of France. The Italian notes of five and ten francs might be already considered, therefore, from an international point of view, as notes representing a silver deposit. Even supposing that these coins were returned into the circulation of Italy, it was evident that they would not be replaced in France or in other countries of the Latin Union by new coinages of silver.

He said, in conclusion, that if the Italian Government was not disposed to give its immediate consent to the withdrawal of small notes, it certainly was not its intention to depart from a monetary policy with which the country had always been in sympathy and which looked to the realisation of the high purpose which the Conference had in view.

MR. SAINCTELETTE (*Delegate of Belgium*) thought he should state that Mr. Boissevain, in the Sixth Session, had ascribed to him views which he had not exactly expressed in his speech at the preceding Session.

He had had no intention of reviving the old quarrel on the question whether the present monetary situation was due to an over-production of silver bullion, or to the legislative measures of Germany in 1873, and the closing of the mints of the Latin Union. He had simply expressed his astonishment to see that the United States had no formal proposal to make, seeing that the present situation had been created by them, arising, as it did, from the two recent laws for silver purchases for the account of the Treasury. He meant to say simply that the United States were wrong in believing that they could remedy the accumulation of silver by creating a purchaser without there being any real needs to be satisfied. In his opinion these measures had only stimulated production in the United States and in Mexico, and that fact had been brought out in the debates of the Examining Committee.

SEVENTH
SESSION.Mr.
Saintelette
on the
Minutes of
the Sixth
Session.

The Minutes of the Sixth Session were approved.

THE PRESIDENT asked the Delegates to accept, as a souvenir of their visit to the mint, medals which had been struck on that occasion, and which were offered to them in the name of the Belgian Government and that of Mr. Saintelette, Delegate of Belgium and Commissioner of the Mint.

Visit to the
Mint.

THE PRESIDENT laid upon the table statistical tables showing the monetary situation of Sweden from 1881 to 1891, and various documents and statistics relative to the monetary situation of Russia. In the name of the Conference he thanked MESSRS. FORSELL and RAFFALOVICH for their interesting communications.

Documents
presented.

MR. ALLISON (*Delegate of the United States*), who had asked leave to speak in the general discussion, gave way provisionally. One of his colleagues, Senator Jones, who had been selected to present some observations in the name of the Delegation, was unfortunately unable to be present. MR. ALLISON said that he hoped other speakers would express their views.

SIR GUILFORD L. MOLESWORTH (*Delegate of British India*) announced that Reuter's Agency had received a telegram which would be of interest to the Conference. The contents were as follows:—

Sir G.
Molesworth
reads a
telegram.

"In reply to a letter of the Indian Currency Association the Indian Government expressed its regret that it could give no assurance that measures would be taken to protect the monetary situation of India if the Conference at Brussels were without result. The Indian Government would not agree to recommend to the Secretary of State the suspension of the sale of Council Bills below a fixed rate, and preferred to maintain its complete liberty of action."

MR. HANS FORSELL (*Delegate of Sweden*) made the following remarks:—

Mr. McCreary, in his striking speech at the Fifth Session, expressed as his personal opinion the idea that the Monetary Conference should re-establish the free and unlimited coinage of gold and silver as legal tender money at a permanent and international ratio between the two metals of $15\frac{1}{2}$ or of 16 to 1; and he added that he preferred the latter ratio.

Discussion
on bi-metal-
lism
resumed.

Mr. Forssell.

The ratio is without doubt the first and last problem to be decided in taking up the subject of universal bi-metallism, and any serious discussion of the practical application of that system must necessarily turn upon that point. Without doubt the choice between possible ratios is difficult and delicate, but we are here to attack difficulties; and if they are to be surmounted, it is necessary, in the first place, to formulate and to define these practical questions, which, in purely theoretical discussions are necessarily treated in very vague terms. The Delegation of the United States, which has submitted to us the general plan of an international bi-metallic agreement, would do us a great service, it seems to me, and would give a more solid foundation for our discussions, if they would inform us of their opinions in this matter. Permit me, therefore, to ask the Delegates of the United States, as a Delegation, what, in their opinion, would be most practical and equitable international arrangement: whether to raise the value of silver to its former level by adopting one of the ratios, $15\frac{1}{2}$ or 16 to 1, which are still in force in two great countries, or to hold rather to the present value of silver, by seeking to establish by law a suitable ratio above that of 20 to 1?

MR. ALLISON replied in English to the question of Mr. Forssell as follows :—

I desire to say that the Delegation of the United States has had no opportunity for consultation in order to answer the question in the form desired by the Conference, the question only having been put to us as we entered the meeting. It is a proper question to ask, what should be the ratio. There are, perhaps, some differences of opinion in the Delegation, but I think I may say at this time that we should all agree if the nations should consent to our own ratio, that is, of 16 to 1. I think I may say for myself personally that without doubt we might be easily persuaded to accept another ratio. It would seem probable, as I have said before, that the nations which make the largest use of silver would deem it logical, in case an international ratio should be established, to see that ratio fixed at $15\frac{1}{2}$ to 1. If such be the general opinion, I think I may say that the Government which we represent would not refuse to enter into the arrangement if such were the case. But at the present moment I do not think that I can say more than this.

The question of the ratio is a fundamental one, as the honourable Delegate from Sweden has said; but I would suggest that another consideration of no less importance is the number of States which would agree to the ratio, for it is that which would make the ratio effective. I can say positively that in my opinion no ratio would be acceptable to the United States unless it received the support of a number of States sufficient to give the desired efficiency, to obtain the complete and free circulation of silver as legal tender money. That is, I think, an important consideration. If we enter into a practical discussion, it is necessary to agree not only upon the ratio, but also on the number of States whose consent is necessary to the agreement. If the United States did not desire the co-operation of other States, we should not be here to consult with the European States upon the ratio to be established to make silver an international money, as gold is an international money.

I am glad, therefore, that an opinion has been expressed upon this general question, and I hope that the other countries will also examine into the question of ratio. The Delegates of the United States would be in a position to state their wishes; but it is not they alone who should make a reply to this question.

MR. RAFFALOVICH (*Delegate of Russia*) made the following remarks :—

The academic turn of our discussion furnishes an excuse to me for expressing my reservations as to the connexion between bi-metallism and free trade, between the gold standard and protection, which was indicated by the honourable Delegate from the United States, Professor Andrews. If we were discussing monetary and economic metaphysics, I should say that the principle of bi-metallism, being based upon the idea of the effective intervention of the State to decree and maintain a fixed legal ratio between the two metals, is inspired by the same notions as the idea of protection, whose design is to insure, in a certain measure, a different distribution of remuneration from that which would be produced under the *régime* of liberty. That countries with irredeemable paper money have adopted the payment of Customs dues in gold is purely a financial measure, since they have contracted gold debts abroad, and desire to obtain sources of revenue payable in metal.

The greater stability of exchange in a gold country like England facilitates importation.

To return to bi-metallism and protection, the fact of their relationship is shown in the attitude of the German *Agrarier*, who desire the double standard for several reasons: first, because they claim it will diminish exportation from India by increasing the value of the rupee, a question which might be debated; and, secondly, because they wish to increase the quantity of money in circulation.

It is to be regretted that their fertile imagination has not yet suggested a practical and acceptable means of increasing the value of the rouble in conformity with sound principles of economic science.

GENERAL STRACHEY (*Delegate of British India*) stated that nobody could doubt the interest of the different facts which had been brought out, and of the opinions expressed with such insight by the Delegates who had addressed the Conference; but he asked whether these speeches offered, up to that time, any prospect of a practical conclusion?

The honourable Delegate called attention to the fact that India was too seriously interested in the question debated not to desire strongly that a conclusion should be

reached. To obtain any result the co-operation of the Latin Union was necessary, and the Delegate of India expressed a wish to hear at this point a categorical declaration on the part of the distinguished representatives of the great country at the head of the Latin Union.

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Discussion
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lism.

Mr. Forssell

MR. HANS FORSELL said that the interesting reply of Mr. Allison led him to put to the Delegates of the United States a second question which followed from the answer just made. Mr. Allison had spoken of a number of States sufficient to constitute a Bi-metallic Union; and it might be asked what was, in the opinion of the Delegation of the United States, the number of States necessary for such a Union? The question was practical, and a reply was all the more necessary since, as everyone knows, it was lacking at the Monetary Conference of 1881. Some claimed that the United States with France or the United States with Great Britain would be sufficient. Others were of opinion that three States would suffice. But the situation had greatly changed since, and the production due to the natural forces at work had become far more considerable and important. It might therefore be supposed that to-day a larger Union would be required. To render the discussion more practical, a reply to this question would be of great value.

MR. TIRARD (*Delegate of France*) spoke as follows:—

Speech by
Mr. Tirard

GENTLEMEN,

If I have perfectly understood the remarks of the honourable Delegate from British India, General Strachey, he would like to see the representatives of the Latin Union take part at the present time in the discussion, and make known their opinion upon the points now before the Conference.

I should state at the beginning that I have no authority to speak in the name of the Latin Union.

So far as France is concerned, I will comply immediately with the wish expressed by our honourable colleague.

As I had the honour to say in a preceding Session, the French Government accepted immediately the invitation of the United States, because it is deeply interested in the problem before us, and because it knows that there is a greater community of interests now than ever before among civilised nations, which does not permit them to hold aloof from any of the questions which tend to bring into harmony the ideas of mankind for the solution of social problems, and the binding together of the bonds which unite the nations.

When we arrived here we awaited with interest the proposals of the United States.

You know the proposal which was made; it consists in a revival pure and simple of the discussion of bi-metallism and of mono-metallism, a discussion which has already been the object of previous Conferences.

Other and subsidiary proposals have been formulated and examined by a Special Committee. The first emanated from Mr. de Rothschild; but we have not discussed it, because it was withdrawn by its author. The other proposal treated by the Report of the Committee is that of Mr. Moritz Levy; I believe that at the present moment it has been provisionally excluded from the discussion. I must ask, in advance, that you will kindly excuse me if sometimes, in spite of myself, I confuse the question of principle with these two subsidiary questions, and it throughout my speech there should be found considerations which are as applicable to the one or to the other of the two questions debated.

Having said this, I would commence by asserting again the interest which monetary questions have for our country. But her situation in this respect is quite unique. France under present circumstances has no cause to complain of her monetary situation, and she does not complain.

She has attempted at various times, and notably in 1881, to come to an agreement with the United States; and it was thus that the way was paved for the Conference of 1881, which was only a continuation of that of 1878.

Later, in 1889, a Congress met at Paris during the Exhibition. From various quarters notable and eloquent speeches were made; but they led to nothing, despite the talent of the speakers, and despite the erudition of the eminent men who took part in the discussion. I have attempted, as others have also done, to explain the reason for the relative failure of these great oratorical tournaments.

Well, gentlemen, I believe that if a conclusion could not be reached which would be accepted by everybody, or at least by a majority sufficient to establish the basis of

an international system, it is because the attempt was made to force down diametrically opposite opinions, whose adoption would result necessarily for several important States in a radical change of their monetary legislation.

That is, in truth, a difficult undertaking. Peoples already far advanced in civilisation have habits, customs, and laws which are adapted to their traditions. These are not applied in an arbitrary fashion; they are bound up with the very conditions of the existence of these peoples.

For instance, our legislation has aided France to procure a very considerable quantity of money; and I believe that I may state without fear of contradiction that France, of all nations of the world, is the one which has the largest quantity of money both in gold and silver.

Do you believe, gentlemen, that this situation is the result of chance? No, it is the natural consequence of the manner in which labour is organised with us. In France riches are infinitely divided. Real estate is cut up into smaller holdings from day to day, and personal property also. We find the proof in the growing number of real estate properties quoted, and of the holders of the public funds, and of investments and coupons of every description, which on dividend days may be counted by millions.

The Governor of the Bank of France said to me recently that during the last few years the number of shareholders of that great establishment—the shares being registered—had noticeably increased.

It is the same with the conditions of labour. There are in France, as elsewhere, great workshops and important manufactories; but there is also a multitude of humble artisans who work in their own homes, some singly, others with an apprentice or with one or two journeymen at the most, and who do a very small business in very small transactions, with an extremely limited capital, which by its very smallness imposes upon them an almost daily liquidation of their affairs.

It will be understood that these modest workers cannot, like the manufacturers of countries where riches are much centralised, have recourse to payment by bill or by cheque, methods which require not only a deposit of capital, but also book-keeping and operations out of proportion with the total value of their business. These operations cannot be carried on except with currency.

With our agriculture it is the same. The land is so minutely divided in France that the greater part of those who cultivate it cannot adopt the conditions of business which are in use in countries with great estates.

For these reasons we have in France that great quantity of money which, however considerable it is, incommodes no one and renders, on the contrary, important services to everybody.

And from this, gentlemen, you see the difficulty which France has in the wide extension of the processes of which Mr. de Rothschild and Sir Rivers Wilson speak. Our honourable colleagues tell us that in England the greater number of transactions are settled in the banks by means of cheques. That is true of England, but in France it could not be the same. Given these profound differences which we see between the two countries, would there not be some temerity in desiring to form, brusquely and without transition, their monetary *régime* in the same mould?

The decisive declarations which have been made in the name of several of the great States show well with what resistance such efforts would have to cope.

As a matter of fact, France is still bi-metallic.

If we ceased to coin silver simultaneously with the other States of the Latin Union, it was because we were face to face with a continually increasing volume of silver, not only from the growth of its production, but also in consequence of the transformation of the monetary system of Germany. All the silver extracted from the mines or demonetised elsewhere arrived in France and in the mints of the Latin Union; and from this superabundance of metal came its depreciation.

We ceased to coin it, and I think that our course was perfectly right.

Mr. Boissevain, with a perseverance which does him honour, Mr. Allard and others, persist in thinking that France ought to open her mint to the free coinage of silver.

But why should France permit the free coinage of silver when she is already amply provided with it? I believe that she alone possesses as much as all the States of Europe put together.

The silver reserve of the principal banks of issue of Europe amounted in the aggregate some weeks ago to about 2,230,000,000 francs (89,200,000*l.*). Of that total

the Bank of France holds as much as all the other banks together. Consequently I have the right to say that she has quite enough.

In spite of that she would consent perhaps to do what is asked of her if there was any reciprocity, if those Powers also which are wedded to mono-metallism should decide to adopt the free coinage of silver. But otherwise what would happen? If France and the Latin Union—I believe that for the moment I may speak in its name—should alone open their mints to the free coinage of silver, all the surplus silver of the United States and of Mexico would go to France, to Italy, to Belgium. And where would these countries be able to dispose of it? Nowhere, since in the rest of Europe none are willing to admit it as legal tender.

I should never advise such a measure to the Government which I have the honour to represent.

If, on the contrary, other European Powers, such as England, the German Empire, the Austro-Hungarian Empire, the Scandinavian States, and others, should consent to open their mints to the free coinage of silver, then the aspect of the question would be changed. But have we reached that point?

Despite all the demonstrations and speeches, all the publications, all the newspaper articles, do we see the Powers which I have just named, and others, too, change their opinion? Not the least in the world.

Since the first day we have heard upon this point declarations which were perfectly frank and sincere, declarations for which I for my part am grateful to their authors, because it is well to know upon what we may rely. We have heard the Minister of Germany and the Minister of Austria-Hungary and then Sir Rivers Wilson declare that neither Germany, nor Austria-Hungary, nor England had any intention of modifying their monetary systems, with which they declared themselves satisfied. Under these conditions we evidently cannot re-establish free coinage; and I have not the vanity to believe that I should succeed in persuading the Governments of these great countries and their eminent representatives that they are mistaken, that they have taken the wrong road, and that they are in error in remaining attached to mono-metallism.

I consider, therefore, until some change takes place, that the question of free coinage is decided so far as we are concerned.

I hope, gentlemen, that I have replied clearly, so far as France is concerned, to the question which was put to me.

And now, gentlemen, since I have been led to speak, permit me to reply in a few words to some observations made at a preceding meeting by the honourable Delegate of the Netherlands, Mr. van den Berg. Speaking of the policy followed by the banks of his country, Mr. van den Berg reproached the Bank of France with the parsimony with which it placed gold at the disposal of the public. I consider, gentlemen, that this reproach is not founded, and if I permit myself to speak of it, it is because this question is perhaps not without importance here.

As I said a few minutes ago, we have a considerable stock of silver in France. A large portion of this silver is deposited in the vaults of the Bank of France, and is advantageously replaced in the circulation by notes. Everybody knows what is the standing of these notes. Not only are they subject to no discount, but they frequently stand even at a premium in many foreign places.

This situation of the Bank of France not only permits it to ensure payment for all the products which France is obliged to purchase abroad, and to ensure that payment, if necessary, in gold, but also to secure a stability in the rate of discount such as has not existed elsewhere of late years. While in 1890, for instance, the rate of discount varied in England considerably—six per cent. in February, three per cent. in May, six per cent. again in November, without noticing intermediate fluctuations—in France it remained absolutely stable; it was throughout three per cent.

This stability in the rate of discount is not new in France, and yet France has passed through many difficulties and through many crises, political, economic, financial, and agricultural. In virtue of the stock of silver which the Bank of France has in its treasury, it has been able to accept for discount all the good paper presented to it. It has had no necessity for resorting to an increase in the rate of discount to protect its gold reserve, and this stability has not been without the most salutary action upon our commerce, especially in transactions for long periods.

But does this mean that the Bank of France refuses gold to those who need it? Not the least in the world. This year, for instance, the grain crop was not very reassuring, and at the beginning of the year more than four hundred millions of francs in grain was brought into France from the United States, from India, and from

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various other countries; but do you suppose that, because of that, there was any lack of gold? No, gentlemen. The Bank of France, when it finds itself confronted by a real necessity, does not hesitate to place at the disposal of importers all that is necessary for the purchase of the raw materials and food needed to feed the people and to maintain national industry.

It is not, therefore, correct to say that by its system the Bank of France hinders importation and thus injures international commerce. What the Bank of France does is to place a barrier to the speculations of dealers in silver, who think less of the interest of their country than of their personal profit. The Bank of France defends itself; it does not permit itself to be stripped of the stock of gold which is its wealth and which is an element of security for France; far from blaming it, I consider that in so doing it fulfils its duty.

Having said this, gentlemen, should the considerations which I explained just now imply that we should despair of the labours of this Conference? I do not think so.

Several proposals have been presented. First we have had that of Mr. de Rothschild. Afterwards we had the proposal of Mr. Moritz Levy. Mr. Moritz Levy proposes two things: to suppress bank notes of a less value than twenty francs, and also to withdraw from circulation gold pieces of less than twenty francs.

I do not know, gentlemen, whether the realisation of these proposals would be certain to attain the purpose which we pursue. Possibly other States would be better able than we to elucidate this point. As to France, she is comparatively without interest in this matter. We have at present no notes in circulation of smaller denominations than fifty francs. The suppression of bank notes of less than twenty francs would not, therefore, affect us.

In regard to the gold pieces of less than twenty francs, this is the situation: Our gold coins of five francs have disappeared. They have been withdrawn from circulation, and if by chance any are received at the Bank of France or at the public treasuries they are not re-issued. We have pursued this course for two reasons: First, coins of five francs are not easily handled; secondly, they abrade rapidly.

There remain the ten-franc pieces. If it should be demonstrated that the suppression of these coins might be the means of increasing the use of silver and might exercise an appreciable influence upon the price of that metal, we should perhaps, consent to report this remedy to our Government, and to request that it might be examined very attentively. I ought to say, however, that it is to be feared that we should encounter some opposition to such a measure on the part of the public, whose needs should be taken into account. The public is accustomed to the ten-franc pieces; they are much more easily handled than the small five-franc coins, and they are less cumbersome than two silver five-franc pieces.

Further, so far as we are specially concerned, the withdrawal of ten-franc pieces would not increase our need for silver. Supposing that the withdrawal was made, what would replace the ten-franc pieces? Five-franc pieces. Well, we have in the treasury of the Bank of France more than a thousand million francs in such pieces, and we should draw upon this stock for the needs of the circulation before purchasing more silver.

There are other proposals before us upon which I shall not dwell, because they are at present with the Committee for examination.

At the proper moment we shall examine them, as we have examined the others, with a most sincere wish to arrive at a solution. That solution cannot be radical; we have seen why. We must therefore resort to palliatives.

It may be said to me, Have you no proposal to make? I have indeed an idea, but it is so simple that I hesitate to submit it. It would, however, have the advantage of not necessitating any agreement or convention between the various Powers. Every Government which was impressed by the evils of the present situation might, by the means I have in view, contribute to relieve it.

The English have great difficulties in the settlement of their accounts with India. The United States themselves have sometimes analogous difficulties. Our honourable colleagues from the United States have indeed said that the production of silver was an infinitesimal fraction in the total production of their country, and it was by no means because that production embarrassed them that the Government took the initiative in this Conference. They are right, if they look only at the annual product. But the precious metals are not perishable commodities. Other products are consumed; but with gold and silver the production of each year is added to that of preceding years.

The United States have gained some experience of this. The production of the mines has accumulated, and they have to-day such quantities of silver that they hesitate to increase their stocks further. It cannot, therefore, be said that the United States are not directly interested in the question; they are, on the contrary, deeply interested.

"A proposal which would bring about an increased use of silver"—these are the terms of the invitation of the Government of the United States—would give them assuredly very great satisfaction. Well, gentlemen, to increase the use of silver it must be converted into coin. But to what extent? Should the transformation be made without limit? Should it be made for the account of private persons? No, it should be made purely and simply to as limited an extent as possible, so that it suffice to bring silver into the daily exchange of life, to make it, not an international money, but a national money.

In France we have, according to our estimates, at least 50 francs in coin per head, and no one complains. Suppose that, without going so far, States which have an infinitely less quantity of silver should bring it up little by little to 15, 20, or 25 francs per head, would not that suffice to absorb all the white metal available? That would incommode no one; the public finances would nowhere suffer; and without trouble, without difficulties, without international conventions binding the Powers towards each other, we should accomplish our purpose.

This, gentlemen, is my idea or suggestion; and, as you see, it is not very complicated. I have searched in vain, and I fail to find in all the other measures which have been favoured anything but palliatives, expedients which may produce a momentary effect, but which do not constitute a final solution.

It is a remarkable thing, gentlemen, that the public begins to concern itself with these questions, and that perhaps is a great advance. Up to the present time monetary questions have remained in the domain of science, and have seemed related more to metaphysics than to commercial practice. To-day the public is beginning to interest itself in our labours, to which previously it was indifferent. This was impressed upon me this morning by some large manufacturers who honoured me with a visit.

Public opinion begins to be stirred up. The public perceives that there is great tension in international relations, that the instability of exchange which sometimes reaches exorbitant rates and from which industry and agriculture suffer, may perhaps be the result of the disproportion which exists to-day between the value of the two precious metals.

However, we should not exaggerate. I have just spoken of the rapid variations of exchange, but we must not believe that the high rate of exchange on certain countries arises from the monetary situation alone, or from the depreciation of value of one metal compared with the other. No, there are countries which have been led into extravagant expenditure, and consequently forced to make large loans. To meet this expenditure and the interest on their debt they have issued paper money in excess of any reasonable measure; and to-day it is only natural that a considerable disturbance in international exchanges has resulted from the immense quantity of paper money issued.

However that may be, gentlemen, it is certain that a greater stability in the ratio would result in facilitating commercial relations, in binding the nations closer together, and in permitting them to exchange their products as it suited them, to the satisfaction of all Governments and to the greater profit of all individuals.

It is for this task that we are met together. I do not know yet what will come out of the Conference, and to what practical result it may lead; but this much is certain, our labours will not in any case be fruitless.

It will be a great result to have started this practical study; though perhaps the study will be long before it comes to a conclusion, since progress is always slowly realised. Ideas from the realm of abstraction cannot pass at once into the domain of facts; they do not bring with them light enough to reach all minds in a single day. To realise them requires much labour, much good will, and much effort.

MR. ALLISON, replying to Mr. Forssell, said that after the declaration made some days since by Germany, after that of England, and after that which had just been made by the State which was at the head of the Latin Union, he felt that the reply to the question which the honourable Delegate of Sweden had put before Mr. Tirard began speaking might be deferred.

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Mr. Tirard.

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lismMr. Sanchez
de Toca.

MR. SANCHEZ DE TOCA (*Delegate of Spain*) congratulated Mr. Tirard upon the noteworthy speech which he had made.

The silence of the Delegates of France had been felt in the discussion, as everyone had asked what would be the direction which the Latin Union, and particularly France, might give to the debate. It was well understood that if the Latin Union would join in the spirit of good will, agreement, and compromise with which the Conference seemed to be animated, anything might be attained; but that without it nothing could be attained.

He agreed completely with Mr. Tirard in the purely negative conclusions of his speech in regard to the adoption of a radical solution. The instructions and powers of different Delegations would not permit an agreement in that line. He called attention in this connexion to the declaration of Sir Rivers Wilson.

He did not know whether bi-metallists and mono-metallists, in their efforts to convince one another, would arrive at any sort of agreement, but the last speeches seemed to him to show clearly that everybody to-day was inclined towards some practical solution. Their object was a *modus vivendi* between various States whose monetary systems were different. In taking this direction it was certain that a solution would not be reached which would realise the dreams of theorists, but evidently the greater practical difficulties would be solved.

Instead of coming, as at previous Conferences, with a distinct formula permitting merely the discussion of a fixed value for gold and silver and the ratio between these two metals, the United States asked that a practical and empirical project, capable of furnishing a solution, should be sought.

He dwelt upon the important fact of the changed attitude of Great Britain, whose Delegates spoke to-day in a different tone from that employed in 1878 and 1881. He remarked that Germany, while remaining faithful to mono-metallism, had not refused to look at the question from a practical point of view upon the lines which she had indicated in 1881. As to the States whose Delegates had received instructions to remain passive in the Conference, they were still numerous, but England was no longer among them, as she was in 1881.

He thought that the attitude of the Latin Union would be influenced by this new situation, and, in spite of the negative aspect of Mr. Tirard's speech, he had not lost the hope that it would be so.

In conclusion, he stated that he did not share the opinion of those who thought that the result of this Conference, whatever it might be, would be without effect upon the market, and that it would lead to no disturbance in the economic phenomena flowing from the use of silver as an instrument of exchange. He thought, on the contrary, that the effect of the discussions of the Conference was very considerable, but that if the result of its labours should be to establish the fact that no extended use of silver could be obtained, a most unfortunate impression would be produced. And as a greater depreciation of silver could not take place without a greater appreciation of gold, this increase in the value of the money unit would lead inevitably to flagrant injustice in the relations of debtors and creditors, would overturn all business relations, disturb all salaries, and destroy the equilibrium of importations and exportations.

Mr. Boisse-
vain.

M. BOISSEVAIN (*Delegate of the Netherlands*) greatly regretted that his colleague, Mr. van den Berg, having been forced to go to Holland for a day, should have failed to hear the admirable speech of the honourable Delegate of France, Mr. Tirard.

In his absence Mr. Boissevain desired to thank Mr. Tirard for the explanation of the policy of the Bank of France which he had given in reply to what had been said previously by Mr. van den Berg.

He would bring the reply to the attention of Mr. van den Berg, who would take occasion to return to the subject if desirable; and in the meantime he wished, on his own part, to speak to the Conference upon some of the points which had been made by Mr. Tirard.

To restore bi-metallism in its integrity it would not suffice that gold and silver should be used concurrently: it is necessary that the two metals should be placed upon a perfectly equal footing, that they should both be considered the monetary standard, that both should be full legal tender, and that both should have free coinage. According to what Mr. Tirard has just said, France would not consent to open her mints to the free coinage of silver unless she were certain of the co-operation of the other great Powers of Europe, and in the first instance of England, of Germany, and of Austria-Hungary.

As to the Netherlands their attitude in this question is well known. Their Delegates stated it at the Conference of 1881, and it is still the same. The country takes the same ground as France, and is ready to re-open its mint to the free coinage of silver, but only as a consequence of an international agreement comprising all the great countries of Europe. In the default of such an international agreement, it is unfortunately only too true that each country must defend its own position as best it may.

There are for Europe but three possible monetary *régimes*. First, there is absolute gold mono-metallism, gold being the only standard, and silver having simply the rôle of subsidiary money; but nobody would accept the consequences of a system which would demand the demonetisation of all the white metal in circulation as token money.

Then there is international bi-metallism.

There is finally a third system, or rather a third monetary organisation. It is the system which we have at present, viz., that of the limping standard; gold being in reality the true metallic standard, but having at its side an immense quantity of silver in circulation as token money.

This system does not meet the requirements of monetary science. However, it is satisfactory up to a certain point, on condition that gold is at the surface in the currency, that it is employed as much as possible in international relations and exchanges, and that the white metal, the token money, is reserved for internal circulation.

It is just in this point that the policy of the Bank of France differs essentially from that of the Netherlands Bank. The Bank of France protects its gold reserve by the defensive premium. Without having any right to demand that it should change its system, I may still be permitted to express the opinion that this course of action is prejudicial to the most advantageous and most extensive use of the gold stock of Europe. To have an equivalence of prices in different countries, and to satisfy the needs of one financial market by the assistance of other markets, it is necessary that the movement of gold in circulation should be facilitated. The system followed by the Bank of France is not favourable to this purpose, and does not facilitate the movement.

From the point of view of France herself, the system appears to have two disadvantages. The first is that as the monetary stock, constituted as it is of gold standard money and of silver token money, does not render all the services which it might, there is a tendency to an appreciation of gold or an increase of its value compared with that of other commodities, with all the disastrous, or at least bad, consequences which follow, both for commerce and industry, and also from the social standpoint. The second disadvantage is that as the relation between the market value of the two metals diverges more and more from the former legal ratio, there will be a greater and greater difference between the value of the metal in the token money and the nominal value of the coin, and consequently a greater and greater temptation to fraud. Up to the present time facts have not demonstrated the dangers of this situation, but it cannot be denied that they exist.

Two or three years ago counterfeit bank notes of five hundred francs were found in France. The Bank of France announced immediately that all notes of that denomination would be withdrawn and a new form of note issued. But what would happen should there be discovered some day in France a quantity of five-franc pieces of legal weight and fineness, which did not come from the French mints, which had been coined elsewhere and imported? The Bank of France could not do for them what it did not for the notes. And this is equally applicable to other countries. Such a monetary situation certainly has its disadvantages and dangers for everybody.

The honourable Delegate from the Netherlands, after these summary remarks, added a few words to his former reply to the speech of Mr. Weber at the Sixth Session. He expressed himself, as follows:

Mr. Weber has told us that the fall of silver was due to the increased production. Permit me to submit some figures of great interest upon this point. According to the statistics of Mr. Leech, the production of gold in 1892 amounted to 197,000 kilos; while from 1831 to 1850, according to the figures of Mr. Soetbeer, it was on the average only 32,000 kilos; the production, therefore, has increased sixfold. The production of silver was, in 1892, 4,480,000 kilos; in the same period from 1831 to 1850 it was on the average 688,000 kilos. The increase of production therefore in the last 50 years has been nearly the same for the two metals. If we carry our figures

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back to the beginning of the century we find that the increased production of gold is proportionately greater than that of silver.

Mr. Weber sought further to demonstrate the abundance of gold by citing the situation of the banks. We have only to consult the balance sheets of the Bank of France to find that between 1888 and 1892 the gold reserve rose from 1,100 millions to 1,670 millions of francs, but at the same time, the proportion of the reserves of the bank to its obligations has only increased from 32 per cent. to 41 per cent. In spite of that immense stock of gold, the gold reserve represents only 41 per cent. of the obligations. Without doubt that indicates a very favourable position, which I do not deny; but there is nothing there to make one cry out against the abundance of gold.

As to the Bank of Germany, we find that in 1887 the gold reserve was 566 millions of marks, whereas on the 31st of October 1892 it was 664 millions of marks; and that the proportion of gold reserves to obligations has increased from 42 to 44 per cent.

If we consider, therefore, the real condition of the banks, we do not see, in spite of the immense stocks of gold which they actually possess, any great abundance of gold.

Mr. Weber spoke also of the development of commerce in England and made a comparison between the figures of 1880 and those of 1890. Mr. Weber took his figures from a speech of Sir John Lubbock. I have not been able to find the figures cited by Mr. Weber, but I have in my hands a Blue Book relating to the period 1877 to 1891, and it is interesting to observe that from the figures there given* there appears to have been an absolute stagnation of the commercial movement in England. The trade of England was, in 1877, 19l. 5s. 3d. per head of the population; in 1891 it was 19l. 14s., after having touched, in 1883, 20l. 1s. If therefore we consider the movement of trade in England during the last fourteen years, we see that there has been no growth at all, but rather a relapse.

Another word, gentlemen, before I terminate. I said to you the day before yesterday that my first impression of the speech of Mr. Weber was that it did not exactly depict the situation. Permit me to read these words which had escaped my attention: "For the last fifty years, the great discoveries of gold and the more and more general use of instruments of credit have created a situation continually more favourable for the debtor and more unfavourable for the creditor."

I believe that Mr. Weber has lost sight of one thing, and that is, that the situation, which was indeed such as he described until 1870 or 1873, has absolutely changed since that time. Without going into details, I simply ask if in our experience of the last twenty years we find that the situation is more and more favourable to the debtor and unfavourable to the creditor. I believe, permit me to say, that such an affirmation is absolutely at variance with the facts of history and with all that we have been able to observe in recent times.

Mr. Cannon.

MR. CANNON (*Delegate of the United States*) made the following speech in English:—

GENTLEMEN,

Several observations have been made in this Conference in regard to the wording of our invitation to the nations. The Delegate from Spain referred to it a moment ago, and at the last Session one of the Delegates from Great Britain stated that if the call had been to discuss the broad field of bi-metallism, England could not have accepted. It is only fair to state that the call was carefully considered by the President in order that England and all other nations might fully and freely discuss the question from their own standpoint. If this Conference does not accomplish anything more than has already been done, it will be of great use to the world. The proposition of Mr. de Rothschild, a Delegate from England, the frank and able statement which we have just listened to from Mr. Tirard, the Delegate from France and representing the Latin Union, clearly indicate the condition of affairs in Europe. Permit me to say that I have been greatly surprised at what has occurred. We in the United States had supposed that France and the Latin Union, being the largest holders of silver in the world, were very friendly to that metal as money; but we find that, while they are glad to be present with us and are interested in our proceedings, they are not inclined to join with us in any agreement as to the better use of silver as money; and we find to our surprise that England, without any silver of consequence, suggests its

* See Appendix to the Minutes of this Session.

purchase and use as a money metal. In spite of this apparently opposite state of affairs between the two great nations, we hope that something may yet be accomplished. Frequently, as in the case of electricity, when opposite poles meet results follow.

We in the United States highly appreciate and fully understand the monetary system of France, with its bank and its large amount of gold and silver money. Looking back to the period prior to 1873, before the demonetisation of silver, we fully understand the strength and ability of a system which maintained for so many years the parity between gold and silver. But we had supposed that France, with its large stock of silver, took great interest in any effort to maintain the price, and in every step to return to the bi-metallic par. Mr. Tirard referred to the resolution brought forward by the Delegates from the United States with our statement and programme, and we infer from his remarks that he did not consider it necessary to pass a resolution which refers to certain existing evils and declares for the better use of silver as money. We find again the same difference of opinion existing between France and England in this matter, as the proposition of Mr. de Rothschild plainly states that evils exist in the monetary situation and that some remedy should be found; that is to say, the belief of the United States at the time of the call of the Conference is endorsed, and it was hoped that a remedy could be brought forward and agreed to here for the monetary evils throughout the world.

Mr. Tirard says that in France they are not specially interested in any palliative measures to increase the price of silver, and that they are able to maintain their present position, as we say in our country, by main strength. The United States is in the same position. As I understand Mr. Tirard's statement, their policy is to use silver in domestic circulation and gold in paying foreign balances and settling foreign transactions. While this policy can be pursued by France and by the United States, still I believe it would be far better if some international arrangement can be made to use both gold and silver for foreign and domestic payments, at some ratio to be agreed upon.

Mr. Tirard says, with great truth, that the people of a country are apt to ascribe the evils and dangers that exist to monetary causes, and that there are other important factors that enter into a bad state of affairs in any country. The opposite of this statement is also true. It is not always that a good monetary system and an excellent state of affairs in a monetary way produce complete prosperity.

Mr. Tirard stated that the United States had more silver than it wanted or could use. I think there is a misapprehension in Europe on this point. All of the gold and silver money in the United States is in use, and I think I may state that there is no country in the world where the silver and gold money is in more active use than in the United States of America.

Mr. Tirard indicates that in his opinion the silver mine owners have prevailed in legislation before Congress and that we have been unduly influenced by our large product of silver. As has been clearly stated heretofore by my colleagues, the silver interest is a comparatively unimportant interest in our country, and the product of silver is comparatively insignificant when compared with our other products, and I beg to differ from Mr. Tirard in that matter. I believe that a careful examination of the speeches before both Houses of Congress, and the statutes that have been passed relating to gold and silver money, will bear out my statements. Furthermore, in our country, from the beginning of its history, we have been in the habit of using gold and silver as money; and while it may be true that the product of silver is somewhat different from other products, if it is to be used as a money metal, still we have never considered it from that standpoint, but have believed it a proper basis, together with gold, for increasing the circulating medium in our country, which is a growing country. Our people believe that it is necessary to have more money from time to time to properly conduct their business.

Mr. Tirard refers to the different projects that have been brought before this Conference as mere palliatives, and unworthy of consideration. There is a difference of opinion as to this. I believe it is a self-evident fact that if there is more of any commodity produced than is needed, the surplus fixes the price of the whole mass; and if the product is silver, the surplus—whether it be a million or thirty million ounces—fixes the price of the whole mass. It has been held, therefore, to be perfectly proper and pertinent for this Conference to consider carefully the production and purchase of silver. The purchase of thirty million ounces of silver per annum, it is believed by many, would take up the surplus of silver, and would thus affect the price of the whole mass in the Latin Union and elsewhere; and this is a

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matter that deserves most careful examination. It is possible that such a purchase by Europe might be the bridge to join the money metals again at some parity, provided the said purchase was in addition to the silver now naturally used, and if it was coined into money as provided. And I cannot but believe that France and the Latin Union are interested in this matter.

Mr. Forssell has raised the point as to what should be the ratio between gold and silver. I beg to differ from my colleagues in our Delegation on this matter. In my opinion this is a matter to be taken up later on in our deliberations, and whether the ratio be $15\frac{1}{2}$ to 1 or 16 to 1, or some other ratio, it should be considered hereafter. At present prices, the ratio is about 24 to 1, and therefore it is very difficult to mention a ratio which could be agreed upon by the nations here represented.

Mr. Tirard has said, with great candour, that at the time silver began to depreciate the Latin Union stopped its coinage, and no doubt this was a safe method to pursue. Fortunately the United States has before it the example of the Latin Union. Up to the present time we have had no difficulty in maintaining the parity between all of our gold and silver money, and we intend to maintain it. If, however, silver is to be further dishonoured, and used simply in the same manner that a paper circulation is used, that is to say, in a subsidiary sense, without regard to its price, the United States is in an excellent position to take advantage of this state of affairs as brought out at this Conference. And we are very glad to hear the frank statement of Mr. Tirard to-day.

Mr. Tirard has called our attention to the awakening of public opinion on the Monetary Question. The controversy in France which we have seen discussed in the "Economiste Français" as to whether or not the Bank should lose because of the fall of silver, or whether the nation should lose, indicates clearly that a loss already exists and that if silver continues to fall, there must be a settlement.

Mr. Tirard.

MR. TIRARD (*Delegate of France*) feared that Mr. Cannon had incorrectly understood him if, on the ground of his declaration, Mr. Cannon thought that the Latin Union, or, to be more exact, France, in whose name Mr. Tirard had spoken, was less friendly to bi-metallism than England.

Mr. Tirard declared that he had said nothing of the kind. On the contrary, he had said that France was bi-metallist in fact, and that if she would not resume the free coinage of silver, and if she would not go back to absolute bi-metallism, it was only because England and other countries of Europe had declared in the most formal way that they intended to remain mono-metallic, and that, at least for the moment, they were not disposed to admit the white metal to their mints. It could not be said, therefore, that under the circumstances, England had shown herself more bi-metallist than France. The honourable Delegate added that since the opportunity was offered, he would express his regret at seeing the proposal of Mr. de Rothschild withdrawn before there had been any discussion of it. In his eyes that proposal had considerable importance by reason of its origin, and the motives which had dictated it. Furthermore, one point had especially excited his curiosity, namely, the distribution of the 125 to 130 million francs of silver to be bought by Europe from the American producers. He would have been happy to know what share Mr. de Rothschild had contemplated for England and what share for France. He was convinced, without having any information on the point, that France, who had already as much silver as all European Powers combined, would have been given the largest share. It was just this situation, which France could not accept. She had already more than sufficient silver for her internal circulation, and as for circulation abroad, she had a supply of gold amply sufficient to cover the purchases which she must make. As to establishing free coinage, as to receiving the silver produced in Mexico and in the United States, which France would never have occasion to return to the Powers which had sent it, and which she could never use to pay for her purchases and liquidate her obligations, he would never advise his Government to accept such a situation.

The Session adjourned at 5 o'clock.

APPENDIX TO THE MINUTES OF THE SEVENTH SESSION.

VALUE of the TOTAL IMPORTS and EXPORTS of MERCHANDISE into and from the UNITED KINGDOM, with PROPORTION thereof per HEAD of TOTAL POPULATION.

YEARS.	IMPORTS.		EXPORTS.				TOTAL OF IMPORTS AND EXPORTS.		YEARS.
	Total Value.	Proportion per Head of Population of United Kingdom.	British Produce.		Foreign and Colonial Produce.	Total Value of British and Foreign and Colonial Produce.	Total Value.	Proportion per Head of Population of United Kingdom.	
			Total Value.	Proportion per Head of Population of United Kingdom.					
1877	£ 394,419,682	£ s. d. 11 14 11	£ 198,893,065	£ s. d. 5 18 6	£ 53,452,955	£ 252,346,020	£ 646,765,702	£ s. d. 19 5 3	1877
1878	368,770,742	10 17 3	192,848,914	5 13 8	52,634,944	245,483,858	614,254,600	18 1 11	1878
1879	362,991,875	10 11 8	191,531,758	5 11 8	57,251,606	248,783,364	611,775,239	17 16 8	1879
1880	411,229,565	11 17 7	223,060,446	6 8 10	63,354,020	286,414,466	697,644,031	20 3 0	1880
1881	397,022,489	11 7 4	234,022,678	6 14 0	63,060,097	297,082,775	694,105,264	19 17 5	1881
1882	413,019,608	11 14 7	241,467,162	6 17 2	65,193,552	306,660,714	719,680,322	20 8 10	1882
1883	426,891,579	12 0 10	239,799,473	6 15 4	65,637,597	305,437,070	732,328,649	20 13 2	1883
1884	390,018,569	10 18 4	233,025,242	6 10 6	62,942,341	295,967,583	685,986,152	19 4 1	1884
1885	370,967,955	10 6 0	213,115,114	5 18 4	58,359,194	271,474,308	642,442,263	17 16 9	1885
1886	349,863,472	9 12 8	212,725,200	5 17 2	56,234,263	268,959,463	618,822,935	17 0 10	1886
1887	362,227,564	9 17 11	221,913,910	6 1 3	59,348,975	281,262,885	643,490,449	17 11 8	1887
1888	387,635,743	10 10 3	234,534,912	6 7 2	64,042,629	298,577,541	686,213,284	18 12 2	1888
1889	427,637,595	11 10 1	248,935,195	6 13 11	66,657,484	315,592,679	743,230,274	19 19 10	1889
1890	420,691,997	11 4 6	263,530,585	7 0 7	64,721,533	328,252,118	748,944,115	19 19 7	1890
1891	435,441,264	11 10 5	247,235,150	6 10 10	61,878,568	309,113,718	744,554,982	19 14 0	1891

(Taken from the Statistical Abstract for the United Kingdom, 1877 to 1891, p. 47.)

EIGHTH SESSION.

Tuesday, December 13th, 1892.

MR. MONTEFIORE LEVI, President, in the Chair.

All the Delegates were present with the exception of MR. TIETGEN, *Delegate of Denmark*, DON JOAQUIN D. CASASUS, *Delegate of Mexico*, and MR. LARDY, *Delegate of Switzerland*.

The Session was opened at 2 o'clock.

The Minutes of the Seventh Session were approved.

Presentation
of documents.

THE PRESIDENT laid upon the table a series of tables presented by MR. HAGBARD BERNER, *Delegate of Norway*. He thanked MR. BERNER, in the name of the Conference, for his interesting communication.

THE PRESIDENT also laid upon the table a list of documents which had been sent to the Conference. The list would be printed and distributed.

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lism.

SIR GUILFORD MOLESWORTH (*Delegate of Great Britain*) read, in English, the following speech:—

Sir G.
Molesworth.

Mr. de Rothschild, whose experience in finance is probably unequalled in the world, declares that we are in danger of a fearful crisis, and Mr. Goschen, late Chancellor of the Exchequer, has warned us of the terrible dangers to which we may at any moment be exposed.

Mr. Tirard tells us that France does not fear the crisis, and with reason. France stands in a very different position from that of England; for although she has demonetised her white metal for international purposes, she can still use it as internal money, and in that capacity it does not lose value as full legal tender money.

She thus escapes many of the difficulties to which England is exposed, and has been enabled to establish a strong reserve behind her credit, so that she can afford to regard with equanimity crises that would be most disastrous to England.

The picture which Mr. Tirard has drawn of the stability and satisfactory state of the French monetary system stands out in bright contrast to the unstable and unsatisfactory state of the monetary system of England, some of the evils of which I have pointed out at the fifth sitting of this Conference. Since the year 1873 the currency of France has not been a gold mono-metallism but the limping standard. It is better to walk on two legs, as she did before 1873, than to hop on one; but if one limb is maimed, it is better to limp along with the aid of an imperfect artificial limb than to hop on one leg, as England does. I gather, however, that Mr. Tirard would be glad to have the maimed limb restored to full vigour if England would assist in the cure, and, however satisfactory the condition of the monetary system of France may be, when compared with that of England, yet it is scarcely one which even Mr. Tirard can contemplate with complete satisfaction. The limping standard is a violation of the first principles of monetary science, whose laws cannot be outraged with impunity; and although as a limping expedient it is better than gold mono-metallism, yet France has an accumulation of accounts of serious magnitude which she will one day be called upon to settle, unless the link between gold and silver be eventually restored. Each year of delay makes this restoration more and more difficult.

But in England we have something worse to fear than the crisis which Mr. de Rothschild predicts. It is impossible to close our eyes to the dangers which have been disclosed by the honourable Delegate of Great Britain, Sir William Houldsworth. He will tell you that the industries of Lancashire have been simply ruined by the condition of our currency system, and that both employers and employed are clamouring for currency reform. In whatever direction we turn our eyes we find similar conditions of depression and distress, whether we turn to iron, steel, silk, woollen, or agricultural industries. A very large number of chambers of commerce in the United

Kingdom have petitioned Government for currency reform; and it was only last week that a large and influential meeting of the representatives of agricultural industry passed a resolution requesting the Government to endeavour to secure, by an international agreement with the leading nations, the unrestricted coinage both of silver and gold. Next we find that Archbishop Walsh (the leader of political opinion in Ireland) declares that the adoption of bi-metallism is a matter of imperative necessity if the agricultural tenants of Ireland are not to be driven to inevitable ruin. And lastly we have India crying out that the development of her resources is hindered, and her trade paralysed by the difficulties into which the state of the currency has plunged her.

Now this state of things was (as I have already shown) predicted in 1871 as the *logical and necessary result of the adoption of gold mono-metallism* in Europe, and this remarkable prediction has been fulfilled to the letter in every detail.

The remedy can only come by the restoration of the link which until 1873 bound gold and silver together in one common standard.

The report of the Royal Commission on Gold and Silver of 1887-88 in admitting nearly every principle for which the bi-metallist contends fully supports this conclusion.

For these reasons I regret the hasty and premature action of Sir Rivers Wilson in his declaration of uncompromising hostility to the double standard as in a measure prejudging the whole case before an opportunity could be allowed for its fair discussion in full conference.

The situation in England has changed, even since the opening of this Conference. The unexpected declaration in favour of bi-metallism by the head of the Irish political party, the important resolution passed last week at the meeting of influential representatives of agricultural interests, as well as the petitions from the London Chamber of Commerce and other sources, cannot have failed to have made a strong impression on the Government; and it may possibly become a matter for consideration whether time should not be allowed for the Government to reconsider the whole question in the light of these altered conditions, even though such reconsideration should necessitate an adjournment of the Conference for some weeks.

It appears also not impossible that the views of the honourable Delegate of Great Britain may undergo some change if we may reason from the analogy of his eminent predecessors of the Conference of 1878, Mr. Gibbs, late Governor of the Bank of England, and Mr. Goschen, late Chancellor of the Exchequer.

Mr. Gibbs, now the most prominent champion of bi-metallism, made the following statement at a public meeting:—

“Mr. Goschen and I were together on the Conference in Paris. Both of us were sturdy defenders of gold mono-metallism, but I have changed my mind. I do not say Mr. Goschen has changed his mind, but he has somewhat modified it.”

Now let me quote Mr. Goschen's utterances at a public meeting. He said:—

“There is a class of mono-metallists who say that bi-metallism is all nonsense, and they cannot understand what it means. Now I do not think it is nonsense at all. I think it is a very serious demand for a change, which, if adopted, would produce very large results. . . . The action of the Latin Union, the action of Germany, the displacement of silver and the enthronement of gold in its place in many countries, have had an immense effect in producing the changes which bi-metallists deplore and attempt to remedy.”

“So far as it appears to me, it can fairly be said that the action of governments has a distinct influence on the question of standards. I fully appreciate the importance of the question. I feel it almost impossible to exaggerate its importance.”*

On another occasion Mr. Goschen publicly remarked that mono-metallists, like many highly orthodox people, were so firmly impressed with their belief that they were unable to give a reason for the faith that was in them.†

Now the quasi-official declaration of the honourable Delegate's views (absolutely opposed to those of his colleague, Sir William Houldsworth) not only precludes any advance by other Powers towards a solution of the difficulty, but places Great Britain in the invidious position of being the principal, if not the sole obstacle, to a satisfactory solution of the difficulties under which we labour.

Indeed I gather from conversation with many of the foreign Delegates that this is the prevailing impression to which this declaration has given rise.

* Extract from a speech delivered by Mr. Goschen at Manchester on November 30th, 1887.

† From a speech made by Mr. Goschen to a deputation received by the Prime Minister on May 30th, 1889.

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Some of the Delegates have positive instructions to enter into an international agreement for the re-establishment of the double standard, provided that England will join; others with instructions less positive have orders not to enter into such an agreement unless England should show a disposition to combine. In fact England holds the key of the position.

If the Delegates of Great Britain had shown any disposition to co-operate cordially with the other Powers there would not have been the slightest difficulty in restoring the double standard, by international agreement, on a firm and impregnable basis.

I do not wish to imply that every nation would have joined such an agreement, but that is quite unnecessary. If a moderately sized rope is sufficient to anchor a vessel it is not necessary to delay anchoring operations, and allow the vessel to drift on the rocks because a very heavy steel chain cable cannot be readily procured.

Now let us see what France has accomplished almost single-handed. For 73 years she kept the whole world practically bi-metallic. It is true that during the last few years of that period she was helped by the Latin Union, but she was the moving spirit. She preserved the equilibrium of gold and silver approximately stable at the ratio of 1 to $15\frac{1}{2}$, in spite of almost overwhelming influences tending to disturb that equilibrium. First, the American ratio for a long period was $3\frac{1}{4}$ per cent. higher, and for another period $3\frac{1}{4}$ per cent. lower, than the French ratio. At one period the relative production of gold was 65 per cent. less than that of silver; at another period it was more than 200 per cent. greater. At one time silver coinage almost ceased, at another time gold coinage almost ceased. At various periods England, whose obligations could only be satisfied in gold, was, as Mr. Baring has told us, forestalled by others speculating on the bank's known necessities. At other periods Germany and India, whose obligations could only be satisfied with silver, were exposed to similar influences tending to create an agio on the metal that might happen to be urgently in demand.

At one time the Netherlands over-valued their gold with reference to the French ratio of 1 to $15\frac{1}{2}$. This led the export of gold. At another time Portugal over-valued her silver. All these and many other powerful influences were at work tending to destroy the equilibrium, influences that for the most part could not possibly exist under a powerful international system in which the great Powers were combined. Moreover it must be borne in mind that during a considerable portion of that period we had not the equalising influence of steam navigation and the telegraph, and that it required at least six months before an answer could be obtained from India. The report of the Paris Monetary Conference of 1867 recommending the adoption of gold mono-metallism in Europe shook the faith of the public in silver. Then the mints of France were practically closed to the rest of the world during the war and the Communist struggle, after which rumours of the intention to close the mints to silver caused a divergence from the ratio, but by no means an important one, and it was only when the link was actually broken by restricting the mintage of silver in 1873 that any important divergence from the ratio occurred.

It has been said that the enormous flood of silver in 1873 forced France to close her mints to silver, but this is not the case. The flood of gold in 1859 was four and a half times as great as the flood of silver in 1873, and yet France single-handed kept her mint open to gold and saved the ratio.

It was not the flood of silver that wrecked the double standard, it was timidity and false political economy.

Now I would ask any unprejudiced person after examination of Diagram No. 1 which I have submitted to the Conference whether it is possible to deny the enormous influence exerted by the double standard of France in preserving so closely the ratio between silver and gold throughout the world in spite of the formidable factors tending to disturb the equilibrium.

With such remarkable experience to guide us it appears probable that the United States of America, if they had the courage to make the plunge, might keep the equilibrium single-handed. At all events a combination with the Latin Union would place the matter beyond a doubt. The addition of India and England would make the combination unnecessarily strong. Still the Powers will not move without England. Other nations might or might not join, but their adhesion or abstention would be a matter of no practical importance, for with such a combination the world would be practically bi-metallic.

A predetermination not even to discuss such an eventuality appears to place Great Britain in an illogical position, for she has recognised the necessity for the rehabilitation of silver and has practically admitted the efficacy of bi-metallism as a remedy, inasmuch as she has consented to allow one-fifth of the metallic reserve of the Bank of

England to consist of silver, only however on condition of the formation of an international agreement of the other Powers on a bi-metallic basis, thus appearing in the position of desiring to impose on the shoulders of other nations a burden of which she is unwilling to take her fair share.

It is monstrous to allege that the restoration of the link between gold and silver would be a form of protection in disguise.

In fact gold mono-metallism is undisguised protection in its worst and most mischievous form. It protects gold at the expense of silver, but what is worse it protects a small number of the moneyed class at the expense of the productive and industrial classes. It robs labour of its employment, and precipitates a conflict between capital and labour.

India, Ireland, the industrial, commercial, and the agricultural interests of Great Britain all cry out against the injustice, and when the crash comes, as come it surely will, it will be no consolation to the people of Great Britain to feel that the catastrophe might have been averted by an attitude of more cordial co-operation with other Powers at the various Monetary Conferences.

I wish to avoid anything like intrusion on the domain of academical discussion, but there is one point which so closely approaches the practical that I ask your permission to say a very few words to remove a misconception which is of general prevalence. I should not have done so had I not within the last few days been confronted by a mono-metallist Delegate with the stale objection that "Gold and silver being commodities it is impossible that legislative action should affix a relative price between the two." Let me once for all state that I fully and unreservedly agree that this is the case. Legislative action cannot and does not fix the price; all that it can do is to fix the ratio, and when the ratio is fixed by law the demand fixes the price.

And the reason of this is self-evident. Under a double standard the person who makes a payment has the choice of metal; or, in other words, he is the person who gives rise to the demand of that metal. Of course he will not be so foolish as to select the dearer metal or that which costs him the most. He naturally chooses the cheaper metal to satisfy his obligation; in other words, the demand falls off for the dearer metal, tending to lower its price, and sets in for the cheaper metal, tending to raise its price; the tendency of both metals being to approach the legal ratio.

It is impossible that it should be otherwise, and this automatic adjustment is extremely sensitive, for the slightest divergence from the ratio is carefully watched by bullion brokers all over the world, and a temporary demand at once springs up for that metal which is below the ratio, while at the same time it falls off for that which is above the ratio. When therefore the two metals are linked together in a double standard they must find their equilibrium as surely as water finds its own level.

SIR RIVERS WILSON (*Delegate of Great Britain*) spoke as follows:—

Sir Rivers
Wilson.

I desire to reply in a few words to the observations of the honourable Delegate of India upon the premature character, as he calls it, of the declaration which I had the honour to make several days ago. I wish to state that it was purely out of respect for the Delegates, and to shorten as much as possible our labours, that I felt it my duty to make a very explicit declaration, and to state that my Government, as a Government, could not admit that the maintenance of our existing monetary system should be brought into question, or that the presence of British Delegates at a Conference where bi-metallism is discussed should lead to the supposition that England would be ready to examine the possibility of a change in her monetary system.

It was for that reason that my colleague, Sir Charles Fremantle, and myself thought that it was opportune to let it be known from the very beginning of our debates that our Government did not desire to take up the discussion of the question of bi-metallism.

This was also the opinion of Mr. de Rothschild, who has just told me that he wishes to associate himself with me in these remarks.

MR. HANS FORSSELL (*Delegate of Sweden*) spoke as follows:—

Mr. Hans
Forssell.

GENTLEMEN,

It is proposed on the part of the United States that a ratio should be fixed between gold and silver as metallic money. This is the double standard.

It is proposed that there should be no restriction upon the coinage of gold and silver as full legal tender money. This is free and unlimited coinage.

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Upon these two points it is proposed to conclude an international arrangement.

This was what the honourable Delegate of the United States, Mr. McCreary, characterised in his speech of Tuesday as "a plain business proposition," which "announced no new theory," and which "did not enter in an unknown path."

The honourable Delegate is right in a certain sense. The double standard is in no wise new. It is neither of to-day nor of yesterday. It is rather a veteran who has been overstrained by superhuman efforts, and has become limping. Free coinage is certainly not unknown; on the contrary, we know too well its tendency to extravagance to give it free play.

What is absolutely new and unknown, both in theory and in practice, is the double standard and free coinage imposed together upon the States by mutual international obligation. In the annals of international conventions we seek in vain for a precedent. The Latin Union itself, which presupposed the double standard, and permitted in the beginning free coinage, did not, to speak truthfully, require either the one or the other. The double standard and national free coinage were roads explored from one end to the other. The path which it is proposed we should enter by an international agreement is like a hazardous crossing of the dark continent without chart and without compass. And though the path is so unknown, and the obligation so new, they are, nevertheless, the *essence* of the universal bi-metallism which is proposed.

The proposal is not only new, but it is of an audacity far above the vulgar prejudices of our day. Everybody distrusts silver coin of which there is evidently more than necessary. Everybody therefore seeks to keep his gold which seems scarcely sufficient for our needs. And it is at this moment that everybody is asked to agree by international contract to coin this disliked silver in unlimited quantities while remaining free to get and keep gold each as best he may.

At first sight this seems a paradox. But the paradox is made a doctrine, and the doctrine searches for support in learned considerations of history and scientific hypotheses as to the future. Unfortunately certain essential facts are neglected, which in my humble opinion give the solution of the enigma both of the past and of the future.

Whatever may be said of the marvellous stability of $15\frac{1}{2}$ to 1 under the free coinage *régime*, the essential historic fact is that the actual ratio between the two metals was never and nowhere invariably in accord with the legal ratio, and that the fluctuations between the two values, however small, sufficed everywhere, and frequently to cause the two metals to flow alternately from one country to another, and to create a premium either upon silver or upon gold. The most recent historic fact, and the most conclusive is that the extreme divergence between the two values and the danger of a premium upon gold have sufficed to render free coinage impossible, and to reduce the double standard to a simple forced circulation.

After this experience of the absolute impotency of national legislation, resort has been had to the hypothetical project of international bi-metallism. It is well known that unlimited coinage would open the flood-gates to a torrent of silver, which under the pressure of the ratio established by the double standard would set in motion a current of gold, and would allow it or even force it to spread outwards, a movement which would be manifested by a premium on gold. To remedy this a very ingenious process has been imagined of forming by international agreement a reservoir vast enough to contain the two currents together. They would persuade us that if the reservoir is sufficiently enlarged, if it is extended to such a point that beyond it there is no country capable of attracting gold, the yellow metal would not flow out, the stability of the ratio would be guaranteed, and a premium on gold would be in the future impossible.

It is a fact which deserves attention that in speaking of the value of silver we always think of gold; thus it is recognised that the supreme danger is a premium upon gold, and that the touchstone of the bi-metallic system is its ability to guarantee us against that vital danger.

As to the necessary size of such a bi-metallic reservoir ideas have varied, and they continue always to vary accordingly as persons are more or less optimistically inclined.

I suppose, however, that men of practical statesmanship will aim at the most that it is possible to obtain, namely, a union of all the American and European States having a metallic circulation. It would never be possible to include either States with a paper standard, or the silver-standard States of the east. They console themselves by declaring that none of them would be able to draw gold from the bi-metallic union; but it is absolutely wrong not to reckon with that inevitable outside. It is forgotten that in certain cases both Russia and the East would undoubtedly

exercise a very considerable attraction for the depreciated gold of Europe. It is forgotten further that a disturbing element would arise the moment when one member or another of the bi-metallic union, for one reason or another, denounced the treaty and left the union. It is forgotten that there will always be something, not only beyond, but underneath the reservoir;—the industrial consumption which will always demand gold, and which will demand it more and more as it is depreciated by monetary legislation.

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In fact the problem of a bi-metallic union sufficient to guarantee us against a premium upon gold, and against the drain of gold, resembles strikingly the investigation of another very delicate and very difficult question, which might be formulated thus: What length, what breadth, and what capacity should be given to a hogshhead in order best to contain in it a certain quantity of liquid, when there is no possibility of stopping the bung-hole.

In the domain of physics such an investigation would never be regarded as "perfectly practical."

But I will not insist upon that point, which has been already sufficiently raised by the adversaries of bi-metallism, but never sufficiently explained by its advocates. I shall endeavour to speak of another point the practical bearing of which seems to me more obvious.

The double standard in demanding full debt-paying power for coined silver defies the obvious fact that nobody wants to carry more than a few ounces of silver in his pocket, or to keep more than a few pounds weight of it in his cash-box. It obliges creditors to receive in payment unlimited quantities of a metal of which they neither will nor can keep more than a very limited quantity. It assigns therefore to the white metal a legal monetary function which is more or less incompatible with its natural monetary function.

This discord between the natural and legal paying power of silver money is easily disguised if the stock of coined silver is sufficiently restricted by nature or by legislation. No one cared about it when the production of silver scarcely sufficed for the needs of circulation. Even now its importance is more or less relegated to the background, as prudent legislation has suspended or restricted the coinage of the abundant metal.

But suppose the free and unlimited coinage of that metal to be decreed by an international law, and you would see how the double standard, under a production recognised as almost unlimited in the future, would develop the vices inherent in its principle.

Suppose that universal bi-metallism with the ratio of $15\frac{1}{2}$ or of 16—I will keep to that preferred by the honourable Delegate—were accepted, dating from the year 1894, by all the countries which can or would afford the luxury of a metallic circulation. Suppose the mints of these countries open to the free and unlimited coinage of five-franc pieces, dollars, crowns, marks, or florins. From that moment the producers of silver would no longer be at the mercy of the industrial consumption or of exportation to the East, they would no longer be affected by the competition of other producers in the markets of London or of New York. They would all, in perfect friendliness, carry their bullion to the mint, and, so far as the coining presses could meet their demand they would take away their bags full of dollars, five-franc pieces or marks. There would be no danger that they could not make them circulate. If there were a debt to be paid, it would by virtue of the international law be payable in this hard cash, whatever the dissatisfied creditors might say.

What would be the quantity of silver money thus discharged upon the world? Who knows? But since the mineral resources are nearly inexhaustible, it is evident that the increase of the monetary stock of silver would be limited in the future only by the industrial consumption and by the productive capacity of labour and of capital.

The industrial consumption would diminish since the price of silver would rise. On the other hand, the price of silver rising at one bound 30 or 40 per cent., the profit of the producer would be increased and with it his ability and his desire to produce. All the mines which had been abandoned at a price of 80 to 90 cents an ounce would be worked if an ounce of silver could be exchanged for 129 cents in money. All the producers who make scarcely anything out of their mines at the present prices would display a new zeal to obtain a profit. Would not a production which with diminishing prices and unrestricted competition has increased already from 1 to 4.5 in 20 years, and from 2.3 to 4.5 in 10 years, increase still more rapidly with an invariable price and an unlimited market? It is certainly no exaggeration to suppose that the production of silver would shortly attain 9 or 10 millions of kilograms.

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Natural laws would not be entirely done away with under the new order of things. Their effects would be felt even under the new international laws. Since no one would wish then, any more than now, to keep more than a few kilograms of silver, every sum of silver above a thousand francs would flow necessarily to the vaults of the banks, as the brooks flow to the ocean; and the banks, which, like everybody else, would be obliged to receive this silver in payment, would not be able to protect themselves against it.

And since in nearly all the countries with metallic circulation the currency is already saturated and even overcharged with silver money, and since the present production of silver exceeds already the total consumption for industry and currency, the necessary consequence would be that all the new silver would flow into the banks, which would overflow more and more with that money. Suppose a new influx of five millions of kilograms a year; in 10 years there would be 50 million kilograms of it, or 11,000 millions of francs.

But since the vaults of the banks are not unlimited, any more than their financial resources, it would be necessary for them to make room for this intruder by parting with something else; and I cannot see how they would avoid being obliged to release their gold in exchange for the silver which is forced upon them.

But silver, the specific instrument for small payments, is incapable of sufficing for wholesale payment; and the special rôle of banks is to make large payments, for which gold is the only adequate metallic instrument. Thus under the *régime* of free and unlimited coinage the inherent vice of the double standard, the discord between the natural and legal monetary function of silver, would break out in a thoroughly vicious organisation of banks, in an evident incongruity between their obligations and their resources, between the nature of their transactions and the nature of their instruments. The basis of all exchanges, of all wholesale commerce, and of all financial operations, would be undermined, at the moment when the Bank of England, the Bank of France, the Bank of Germany, and the Banks of the United States, all gorged with silver, would be forced into a struggle to keep the gold which is the necessary instrument of their operations.

Evidently there would be a struggle, and its methods and incidents are well known. Each would pay something to be quit of the superfluous and relatively useless silver; each would pay something to obtain gold which is sought after and relatively more necessary.

There you have the premium upon gold following infallibly from your system. That is how, even if bi-metallism embraced the universe, the premium upon gold would always issue from the international marriage of free coinage and the double standard, the excesses of the one fructifying the vices of the other.

But the premium upon gold is the upheaval of the system, the downfall of universal bi-metallism. Each would seek to protect himself from incalculable damage and loss; the international treaties would be denounced, free coinage would be suspended, an effort made to get rid of the double standard, and liquidation would begin.

That liquidation is the translation into financial prose of the monetary poetry of bi-metallism; and if we should have to pay in solid gold for the silver fancies of unlimited coinage, we should be staggered by the millions and the thousand millions. The liquidation would be more difficult, since with the *régime* of international free coinage there would have been no relation between the financial resources of each State and the amount of money coined with its stamp.

The States of the Latin Union, and especially Belgium, can tell us something of the practical side of the question. Those States entered one fine day, full of international confidence, under the magnificent arches of a bi-metallic system, supported by pillars of gold and silver, ranged in a pre-established harmony of 15½. But the harmony was disturbed, silver fell; the white pillars were transformed into walls which barred the outlet, and they were imprisoned. In prison tempers are easily soured, and the Latin Union States no longer bless the treaty of 1865.

How can it be desired that the European States, with eyes opened by these experiences, should willingly enter into an international engagement from which there would be no retreat? The declarations made here by the Delegates of Germany, of Austria-Hungary, of France, of Great Britain, of Italy, of Switzerland, and of Russia—with which as Delegate of Sweden I would join—have sufficiently proved that the European States refuse to do so.

If the Conference of Brussels contributes to establish and fortify the conviction which is already very general, that an international agreement for the free and unlimited coinage of silver as full legal tender money is not only rejected for the

moment, but inadmissible for the future, it will have reached a very important result. It will then have destroyed the vain and sterile illusions which have already too long troubled men's minds and turned them from the reality of facts towards the dreams of an unrealisable Utopia.

MR. VAN DEN BERG (*Delegate of the Netherlands*) read the following speech :—

GENTLEMEN,

Unforeseen and painful circumstances having forced me to leave Brussels for several days, I was unable to be present at the meeting of Saturday, and did not have the privilege of listening to the eloquent speech of the honourable Delegate from France, Mr. Tirard. I regret it the more as Mr. Tirard spoke of the question of banks and the defensive premium on gold, which I raised at the beginning of our debate. Had I been present I should certainly not have failed to offer Mr. Tirard my sincere thanks for the interesting information which he gave us. My colleague, Mr. Boissevain, has already performed that duty in a way for which I feel very grateful, and I would join fully and sincerely in the observations which he made. I am still of the opinion, in accordance with the views expressed by Mr. Léon Say, in his preface to the new edition of the "*Traité des Changes*" (the Theory of Foreign Exchanges) of Mr. Goschen (of which Mr. Raffalovich spoke at one of our last meetings), that the system of a defensive premium, as practised by the Bank of France, is absolutely to be condemned; but for the moment I have really nothing new to add to the remarks of Mr. Boissevain. I am also in complete harmony with my colleague as to his views upon the monetary question in general; and the declaration for which his observations furnished the occasion, that Holland would not enter into a bi-metallic union without the full and complete participation of England, is a part of the formal instructions given us by our Government.

This is the identical reservation which Mr. Tirard has just made for France, in case an international bi-metallic union could be organised. In joining thus the present monetary policy of France to its former policy, to that which led the French Government in union with that of the United States to bring the question of international bi-metallism before the Monetary Conference of 1881, the speech of Mr. Tirard—and that is I believe the principal point—can be considered as the crowning stone of our structure. For the declaration that France would not be opposed to an international bi-metallic convention, if means could be found to make an agreement among all the leading nations in monetary and financial affairs, implies necessarily the sanction and affirmation of the *theory* of bi-metallism which so many writers and statesmen are pleased to consider as a mere whim unworthy of the attention of serious and sensible men.

You will not have forgotten, gentlemen, that it was France who in 1881 told us through Mr. Magnin, then Minister of Finance, and President of the Monetary Conference at Paris, that international bi-metallism was the only system which could restore monetary regularity in all parts of the world.* But I will not abuse your patience by arguing anew the reasons which on the scientific field plead in favour of the solution which we desire. To Holland belongs in part the honour of seeing the weak side of mono-metallism several years before the fall of silver made itself felt. In an academic discourse of 1869 the late Mr. Mees, then President of the Netherlands Bank, combated the system of the double standard as it had been practised up to that time, that is to say, within a limited field; but he opposed to that system the *universal* double standard, demonstrating that the moment that the double standard was universally accepted the market value of the two metals must conform to the legal ratio taken as the basis of a common agreement, and further that the double standard applied with this extension would secure the greatest possible stability in the value of the currency far better than either the gold standard or the silver standard.

That was in succinct form the theory of bi-metallism as it was expounded in 1869 by one of the most honoured *savants* of Holland; and 20 years later, in 1888, the Gold and Silver Commission, appointed two years before in England to examine the recent variations in the relative value of the precious metals, justified completely the reasoning of the eminent Dutch economist in the following conclusions of paragraph 107 of its Final Report,† that is the portion of the report signed by the six members of the

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* Page 5 of the Proceedings (English translation).

† Gold and Silver Commission. Final Report, p. 85.

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Commission who pronounced against the adoption of bi-metallism and for refraining from any fundamental change in the monetary system of England:—

“We think that in any conditions fairly to be contemplated in the future, so far as we can forecast them from the experience of the past, a stable ratio might be maintained, if the nations we have alluded to were to accept and strictly adhere to bi-metallism, at the suggested ratio. We think that if in all these countries gold and silver could be freely coined, and thus become exchangeable against commodities at the fixed ratio, the market value of silver as measured by gold would conform to that ratio, and not vary to any material extent.”

Notwithstanding this definite and positive declaration, the argument is still used that the theory of bi-metallism is valueless, because the trials which have been made of it have never insured a fixed and invariable stability in the ratio between the two metals, and that the ratio always varied more or less during the 70 years that the bi-metallic *régime* was in force in France. But, gentlemen, I have seen still larger oscillations in the exchange between two countries or two places which had exactly the same monetary system and the same money.

For about forty years there has been an absolute uniformity between the money used in Holland and its East Indian Colonies. The same coins are the medium of exchange and the measure of value at Amsterdam and at Batavia, and yet we have seen the exchange between the two places at more than five or six per cent. above or below par; while the variations in the ratio between gold and silver from 1803 until the year 1870 never went beyond $2\frac{1}{2}$ per cent. from the bi-metallic par of 1 to $15\frac{1}{2}$. I may be permitted, I think, to conclude as I did in a Report which I addressed in 1886 to the Viceroy of British India, Lord Dufferin, that we should attach no weight to the argument that the remedy of bi-metallism is valueless because the experiments which have been made have been unsuccessful.

Never since the world began has there been an universal agreement among the nations at all stages of civilisation for the simultaneous use of gold and silver on the basis of a fixed ratio, and all the arguments advanced against the efficacy and practical character of such an agreement are and must remain incomplete and fallacious because they are supported only by partial and isolated experiences. We would open to humanity, in all that relates to its means of exchange, a new era which was conceived in France, but which could not come to maturity except in the present social and commercial conditions.

From whatever side I look at the question I always come back to the dilemma presented in a previous meeting. Is universal mono-metallism possible and practicable, yes or no? If yes, if it can be demonstrated that there is no lack of gold for the monetary needs of the whole world, I become a turncoat—allow me the word—and place myself beside my present antagonists; but if no, the principle of mono-metallism seems to be condemned, and I will continue to assail it for the reason which I have presented in a former speech. I do not believe in the possibility of dividing the world into two parts—into two groups—one of which shall use gold and the other silver as the medium of exchange.

The union between the metals once broken, that union which according to the motto of the noble country which offers us its hospitality, made the strength of the world, the general use of gold as the regulator of international exchanges will become more and more indispensable, like the drop of oil which penetrates everywhere.

And now, gentlemen, permit me to make a little calculation based upon the data which Mr. Leech, who is here present, has had the kindness to place before us in the carefully prepared work which he presented to us at the beginning of our Conference. According to Table No. IV. the stock of gold in the principal countries of the world, that is, the reserves of banks and public treasuries, together with that in the hands of private persons, can be estimated in round numbers at 3,630 millions of dollars. The average production of gold during the years 1890, 1891, and 1892 in all the producing countries was 126 millions of dollars, that is a little more than three and a half per cent. of the monetary stock. If now the entire production was available for the monetary use of nations there would certainly be no reason for alarm, since the annual increase of population of the world assuredly does not reach three and a half per cent.

But the investigations of the learned and regretted Dr. Soetbeer, the results of which were collected in the remarkable book published some months before his death—I speak of his “*Litteraturnachweis über Gold und Münzwesen*”—lead us to believe that the annual yield of gold is almost entirely absorbed by industrial uses in the arts

and trades. This result of the accurate investigations of Dr. Soetbeer has struck me all the more as he was formerly one of those who was in no wise alarmed as to the scarcity of gold for monetary uses; and, not to seem to exaggerate the importance of this, I think I should recall the very words which the learned Dr. Soetbeer used to express his idea. This is what he wrote shortly before his death:—

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lism.

“Die Annahme, dass in den letzt verflossenen Jahren, zusammen mit dem Abfluss nach dem Osten und nach vorkommenden Thesaurierungen, die industrielle Verwendung die Zunahme des allgemeinen monetären Goldbestandes wesentlich beschränkt und vermuthlich die neue jährliche Goldgewinnung nahezu absorbiert haben dürfte, lässt sich allerdings nicht ziffermässig nachweisen, andererseits wird aber ebenso wenig deren Unrichtigkeit sich beweisen lassen.”

Mr. van den
Berg.

That is to say:

“It would be impossible to demonstrate by figures the incorrectness of the hypothesis that in recent years the industrial use of gold together with the needs of Oriental countries and for private hoards had materially arrested the increase of the monetary stock and had very probably absorbed the annual production of the metal; but proofs are equally lacking to support the contrary hypothesis.”

Therefore according to the late Dr. Soetbeer it is possible that the production of gold every year is only sufficient to satisfy the needs of industry; but if we hold to his previous calculations, according to which about one-half of the annual production was required for industrial uses, there remains for the increase of the stock of gold a figure which certainly does not exceed the annual increase of population, and, as the total of the world's exchanges increases more rapidly than population itself, it follows that we cannot escape a more and more severe and acute monetary contraction if we persevere in the proscription of one of the precious metals which since the beginning of the world has played so important a part in the development of social and international relations.

The sufficiency or the insufficiency of gold for the monetary uses of the world is, gentlemen, the real knot of the question before us. It is not unknown to us that up till now the defenders of mono-metallism have always supported the idea that there was no lack of gold, and that a more or less considerable appreciation of the yellow metal was entirely out of the question. The bi-metallists alone were of the contrary opinion. But now one of the most fervent partisans of mono-metallism has joined their ranks and tells us that it is not silver which has fallen but gold which has risen. The partisan whom I have in mind is the “Statist” of London, a journal which is an authority in monetary and financial matters, and rightly so, because, unless I am mistaken, it is written at the dictation or at least at the inspiration of the learned statistician Robert Giffen. In the number of November 5 we read the following declaration, apropos of the proposals submitted to the British Government in regard to the possible introduction of the gold standard in British India:—

“We presume that the plan is based upon the mistaken notion that the value of gold is more stable than that of silver. We have seen that between 1873 and 1880 all gold prices fell ruinously. We have also seen that during the same period silver prices did not fall; in other words while a smaller quantity of gold year after year exchanged for a larger quantity of all other commodities, silver included, the same quantity of silver, or nearly the same, exchanged for the same quantity of all other commodities, gold excluded. Does it not necessarily follow that it was the conditions which determine the value of gold which altered, not the conditions which determine the value of silver, or to put the matter into, perhaps, plainer language, does it not necessarily follow that the value of silver during the past 20 years has been far more stable than the value of gold.”

Gentlemen, has the weakness of gold mono-metallism ever been placed in clearer light than in the lines which I have just cited, written by one of the most convinced mono-metallists, by a “Gold-fanatiker,” as the Germans say? If it be true that the price of silver has remained stable, and that it is gold which has risen during the last twenty years, that is a pure and simple condemnation of all monetary systems based upon gold; for the relative stability of its value is one of the essential conditions of a good money, and a gradual appreciation of the standard used to measure all values and effect all exchanges cannot fail to be disastrous to all mankind, as it benefits only those who own money and aggravates the position of the others, the workers; in a word, the immense majority of the population.

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hüller
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If our investigations and our debates can conduct us, I do not say to the solution, but to the clearing up of the great problem of the greater or less relative stability of gold and silver, the labours of the Conference will not be fruitless, and I believe that when we adjourn we shall have merited well of all the human family.

COUNT KHEVENHÜLLER METSCH (*Delegate of the Governments of Austria and of Hungary*) read the following declaration :—

GENTLEMEN,

I am persuaded that none of you expect that I should make an academic dissertation upon the advantages of the double or the single standard; nor will I cite that which celebrated men who have concerned themselves with monetary questions, either as enlightened students or learned partisans, may have said in other circumstances. I believe that conclusions of that order would have little value in my mouth, and I prefer to leave them to others better equipped than myself. Neither my instructions nor my tastes permit me to leave the narrow field in which are inclosed the interests which I am here to watch.

Hence I will not speak either upon the plan presented and withdrawn by Mr. de Rothschild, or upon that of Mr. Moritz Levy, which seems to be still to a certain extent the order of the day. I will only say that if any combination is supported by a considerable majority of votes, I shall make it my duty to present it for serious examination to the Austrian and Hungarian Governments.

Gentlemen, the Conference is not unaware that recently, by a series of legislative measures, the two States which compose the Austro-Hungarian Empire have changed their monetary system.

In fact the two countries are at present in a transition period, which explains sufficiently, I hope, the reserve which is forced upon them.

Nevertheless, I am authorised to state, in the name of the two Governments which I have the honour to represent here, that they take a very active interest in the debates of the Conference. They are animated by a sincere desire that the labours of the Conference may reach a tangible result.

The Governments of Austria and Hungary will be ready to examine with scrupulous attention any proposals which may issue by common consent as the final result of the Monetary Conference of Brussels.

Mr. Jones.

MR. JONES (*Delegate of the United States of America*) spoke in English as follows :—

MR. PRESIDENT AND GENTLEMEN,

At an early stage of our proceedings it was suggested that, with the view of shortening our labours, we might avoid what has been termed academical discussion, and confine our deliberations to questions of practical detail. For my own part I cannot conceive of any financial system that, in any true sense, can be deemed practical which is not based on correct principles. A system of money founded on error is in the position of a house erected upon sand. Its details might be modified, but without insuring the safety of the structure. It is in vain to attempt to arrive at correct conclusions without bearing in mind underlying principles. Inasmuch as it is to the neglect of this precaution in all gold standard countries that we owe the necessity for assembling here, I will, with the permission of the Conference, discuss the question before us, as far as I am able, theoretically as well as practically.

Is there
enough
gold?

Is there enough gold to meet the world's demand for money? If this question can be answered in the affirmative, then there is no need to make any change in existing monetary conditions. If there is enough gold, there is no need of silver.

To put the question in more precise form: leaving out of view all countries whose monetary systems are based on silver, is there in existence such a stock of gold as, when supplemented, year by year, with the current yield from the mines, will be sufficient to serve the monetary purposes of the countries whose systems are based upon gold?

But it will be asked: What constitutes a sufficient amount of gold for this purpose? I answer, such an amount as will maintain unchanging the value of the unit of money—or, to state it in another form, such an amount as will maintain at a steady level the general range of prices. If the prices of commodities are to be left out of account—if it be matter of indifference how low those prices fall—then it is of not the slightest consequence how little gold is to be had. No matter how small the amount, it will always be sufficient to exchange at *some* price all the commodities in the market.

But is not the range of prices an all-important consideration? Is it not upon the steadiness of the general range of prices that business prosperity depends?

It must be borne in mind that in this age of great undertakings the time-contract has attained colossal proportions. Enterprises are daily entered upon that require years to complete, and debts are incurred that can be liquidated only by payments extending over a long series of years. The hope and expectation of fulfilling such contracts or paying such debts are based upon the prices of commodities ruling at the time the contracts or debts are entered into. It must be manifest therefore that upon the general range of prices at varying periods will depend the ease or difficulty with which contracts can be fulfilled or debts paid.

When the parties to a bargain agree that payments shall be made at a future time (and that is what every merchant and manufacturer is doing every day), it is of the utmost importance to him who agrees so to pay that the purchasing power of the unit of money shall not increase between the date of making and that of liquidating the obligation. This is demanded by the first principles of justice. The amount to be paid should, upon the day of payment, have the same command over human effort, the same control over human sacrifice, that it had on the day when the debt was contracted. For, it is as a gauge and measure of sacrifice that money fulfils its most beneficent function. In an age in which deferred payments constitute the basis of all industrial undertakings, money can perform no more valuable service than that of enabling society, in the delicate process of measuring human effort, to defy the mutations of time. If it cannot do this, at least, in a reasonably approximate degree, injustice is done to one or the other of the parties to all transactions involving future payments.

Dr. Soetbeer's tables of prices, which include one hundred leading commodities, taking the figures of 1849 as a basis, and estimating them at one hundred, show that by 1853 prices had risen to the ratio of one hundred and thirteen, in 1863 to one hundred and twenty-five, and in 1873 to one hundred and thirty-eight. The fall of general prices.

It is a significant coincidence that, beginning with 1873, the year in which, by the demonetisation of silver, the volume of the world's money was reduced, the trend of prices of commodities in general was reversed, and a fall set in. Continuing his figures to 1885, Dr. Soetbeer gives the number for that year as one hundred and eight, a decline of thirty per cent. in twelve years, or an average of two and a half per cent. per annum.

Mr. Sauerbeck's investigations, made independently, take as a datum line the prices ruling from 1867 to 1877 and show that by September 1887 the general range of prices had fallen to 63·7, the lowest within the century.

Statistics show that the fall of prices in gold standard countries has continued up to the present time and is still in process of operation—the London "Economist" stating the fall for the past two years at 4·8 per cent. or about two and a half per cent. per annum.

During a period of falling prices—even when the process is slow—the value of the money-unit is, by a subtle and insidious operation, constantly increasing. Persons who have contracted to pay money in the future find it difficult, if not impossible, to fulfil their obligations. Profits of business become more and more uncertain, so that productive enterprises are discouraged. Effects of a fall of general prices.

Speaking of the results of a fall of prices Prof. Marshall, of Cambridge University, says:—

"A fall in prices lowers profit and impoverishes the manufacturer, while it increases the purchasing power of those who have fixed incomes. So, again, it enriches creditors at the expense of debtors; for if the money that is owing to them is repaid, this money gives them a greater purchasing power, and if they have lent at a fixed rate of interest, each payment is worth more to them than it would be if prices were high. But for the same reason that it enriches creditors and those who receive fixed incomes, it impoverishes those men of business who have borrowed capital, and it impoverishes those who have to make, as most business men have, considerable fixed money payments for rent, salaries, and other matters." (Economics of Industry, Book III., Ch. 1.)

While prices of property and commodities are falling, owners of money will not part with it for anything beyond the demands of actual necessity, because whatever is bought to-day cannot be sold next week for its cost price. The only rewards of

investment are for those who lend money on some form of security that will compel the borrower to pay, or (failing payment) to part with property more valuable than the debt. At such times money circulates freely in the stock market but avoids the labour market. It can be most readily borrowed on such securities as Government bonds, which are based on the unlimited taxing power of the supreme authority, or upon bonds and stocks of great railroad corporations, whose charges for passengers and freights are practically a tax on the entire population and resources of the regions which they supply. Capitalists maintain a keen competition for the opportunity of lending money, even at low rates, on such securities. Large accumulations of money in financial centres and about stock exchanges instead of being evidences of a healthy and prosperous condition of trade and commerce are unmistakable evidences of industrial languor and decline. Instead of indicating an over supply, or even a sufficient supply of money, they are symptoms of a decreasing and wholly insufficient supply. Were the quantity of money sufficient to meet all the demands of industry, it would maintain at a steady level the general range of prices. Industrial enterprises would not then be, as they now are, mere lotteries. Money would be invested in ventures that would employ labourers. No nation can enjoy the fullest prosperity so long as large numbers of its people are compulsorily idle. It is not a good sign, with respect to the employment of the people, to find capitalists engaged in feverish competition for the returns offered by Government bonds. Yet during a period of falling prices they find no other course consistent with self-preservation. In the bonds of all responsible Governments they find at least safety from loss, and in the constantly increasing purchasing power of the unit of money in which the interest is paid, they find an ample off-set to the lowness of the rate.

While the lender of money is thus, in effect, receiving from his investment all the purchasing power that under normal conditions of industry he would at any rate receive, how fare the working classes, the producers of wealth?

Under the baleful influence of falling prices, agriculture ceases to be profitable. In the case of leased farms, the rent, which was just and equitable when fixed, becomes, with the progress of time, unjust and inequitable, the payment requiring from year to year a constantly increasing proportion of the product, till nothing is left for the tenant but the hardest and barest existence. In cases in which the farms are owned by those who work them, the ownership in nine cases out of ten is incumbered by a mortgage. Very few working farmers own their own farms free. The mortgage that at the beginning was equivalent to but one-half of the value of the farm, soon, owing to the fall of prices of the product and consequent reduction of value of the property, becomes worth three-fourths, and ultimately, in many cases, upon the maturity of the mortgage, the farmer finds himself compelled to yield up his entire farm to the mortgagee in satisfaction of the incumbrance. Thus by reason of a fall of prices, owing to an increase in the value of the money-unit, agriculturists are reduced from comparative comfort to absolute penury.

The effect upon the artisan class is no less injurious. That capital is timid has become a proverb. As soon as it becomes obvious that prices are falling and that no relief is immediately to be expected, the projection of new enterprises ceases. Manufacturers decline to increase their plant to correspond with the growth of population. But, worse than either of these, the time arrives when even the plant in existence cannot be maintained in full running order without great sacrifices of capital. The manufacturers, many of whom operate, in some degree, upon borrowed money, endeavour, by resorting to various small economies, to avert or postpone the blow. But while prices continue falling, their efforts must be unavailing. Where possible, at such times, men endeavour to withdraw their capital altogether from industrial enterprises in order to invest in bonds, but, failing to accomplish this, they endeavour to escape loss by running on short time, or in extreme cases by discharging a portion of their working force. We cannot deny to the employer, any more than to the employed, an appeal to the law of self-preservation. But in thus relegating to idleness great numbers of workmen, what an exhibition do we not make of the impotence of our boasted civilisation. The supreme importance of keeping all the people employed is not sufficiently appreciated.

Writers upon political economy deal only with actual wealth, and the processes by which it is brought into existence. Wealth *in esse* is the subject of detailed and scientific examination. Every feature of its production and distribution is submitted to minute and painstaking analysis. But there is such a thing as wealth *in posse*, which evokes not even a passing thought. It is the enormous mass of potential

wealth that could be, and under proper conditions would be, produced by the men who are compulsorily idle.

It must be obvious to the reflecting mind that one of the most serious of all the difficulties with which society has to contend is the enforced idleness of large numbers of its members. What waste of economic power does it not involve? What corrosion of human energy does it not import? Civilisation being dependent for its progress and perpetuity on the habits and character of its constituent members, how supremely important it is that all the people may have work, and that the work shall be not spasmodic but continuous! How enormously greater would be the production of wealth could all the people be uninterruptedly occupied! How infinitely multiplied would be the sum at once of individual happiness and of national content!

It is not too much to say that throughout the occidental world to-day millions of men stand idle who wait with listening ear for the signal which shall summon them to labour. The loss of wealth caused by the idleness of a vast body of men for even a day is almost incalculable. How much more so the aggregated losses of a generation? We are accustomed to regard the numbers destroyed in war as a great loss to a nation; yet wars arise only at intervals. But the demoralising and consuming effects of idleness destroy more people each year than wars do in a decade.

The army of the unemployed is increasing, and will continue to increase so long as prices continue to fall, and to discourage the investment of capital in productive enterprises. Labour, co-operating with the forces of nature, is the creator of wealth; but in order to reach the highest degree of effectiveness, it must be classified through the aid of capital, and, during the process of production, must be supported by capital. However great the natural resources of a country may be, however industrious, intelligent, and enterprising its inhabitants, if the volume of money is shrinking and prices are falling, its industries will be disorganised, and distress and destitution will prevail. Under any money system, labour, money and other forms of capital, confront each other as opposing forces, each seeking through a natural instinct to secure as much as possible in return for that which is given. These forces, though always operating against each other, are not necessarily inimical. On the contrary, under a just money system they are not even harmful to each other. The conflict between them is essential to the proper adjustment and harmonious working of all parts of the economical machinery. They are the centripetal and centrifugal forces of the industrial system. The equilibrium of all things is maintained through counter-balances. It is out of the action and counter-action of antagonistic forces that the harmonies of the universe are evolved. But under an unjust money system, under a system which through law or accident fails to regulate the quantity of money so as to preserve the equilibrium between it and the other factors of production, the conflict between labour and money and other forms of capital becomes destructive.

The peaceful conflict which, under a just system, is waged between moneyed capital and labour, and which tends only to secure the rights of each, and is essential to the progress of society, is changed under a shrinking volume of money, to an unrelenting war, threatening the destruction of both. It is not against capital, but against a false financial system that permits the volume of money to either shrink or unduly increase, that the hostility of the workers should be roused. Let labour and capital be put on equal terms, so that idle capital will be as unfruitful as idle labour, and the conflict between them will cease to be harmful. The equitable adjustment of the correlative demands of capital and labour cannot be effected under any system that permits a contracting of that great instrument which measures alike the property of the capitalist and the labour of the workman. It is only through the action and counter-action of the forces of capital and labour, automatically operating under a just money system, that equity and harmony can be evolved. One of the most urgent duties pressing upon society, therefore, is to see that the money volume does not diminish in proportion to the demand.

At all periods of history during which a reduction of the volume of money was taking place, the most baleful consequences accompanied and characterised the reduction. The thoughtful student of social forces is led irresistibly to the conclusion that of all the influences leading to the gloom of the Dark Ages, incomparably the most potent was the shrinkage that took place in the volume of the world's money by the exhaustion of the only mines then known to exist. All other conditions that operated at that time have operated at other times without displaying the feature of unconquerable and irremediable persistence characterising that period. At all other times society has

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exhibited a capacity, upon the happening of any disaster, to accommodate itself to the new conditions, to readjust its forces and crystallise its elements anew in harmony with the needs of progress. But money, being itself the means of association among men, any shrinkage of its volume deprives them of the very instrument of adjustment and entails consequences most far reaching in their character. All who have read the literature of this subject will recall the figure by which money is likened to the blood in the human body. It is the vitalising fluid, which, coursing freely through all the veins and arteries of society, quickens the pulse of industry, and imparts activity to its every fibre. The progress of civilisation being dependent on industrial activity, any failure of the money volume to keep pace with the money demand is nothing other than a diminution of the life blood of the industrial organism. The malady from which civilisation suffered during the Dark Ages was unquestionably this sociological anæmia.

Jacob informs us that in the time of Augustus the metallic money of the Roman Empire amounted to a sum equivalent to one thousand eight hundred million dollars, and that by the date of the discovery of America it had been reduced to less than two hundred million dollars. The mines of the Western Roman Empire which had been for some time declining, became exhausted about the close of the fifth century, and no material additions to the metallic money of the world were then possible, until the discoveries of new mines should be made. No new mines were discovered until after the discovery of the American continent. Of the intervening period historians have drawn a familiar picture. Industry shrivelled, commerce languished, and learning entered upon a sleep which was destined to last for ages.

Compare this palsied condition with the inspiring effects produced by the generous increase in the volume of money resulting from the discovery of the American mines. The universal gloom was dispelled by the flood of light reflected from the gleaming treasures of Potosi. As the money stock of the world became replenished the torpor of ages was overcome. Industry revived, commerce expanded, cities multiplied, learning awoke, thought fructified, manners were ameliorated, association developed, and human aspirations bounded to a height never before known. Fittingly have the historians characterised the new epoch as the Renaissance, for, in all that concerns the happiness and progress of mankind, it may well be said that time had then a renewed birth.

When at the beginning of this century the South American Colonies began their prolonged struggle for independence a material reduction took place in the supplies of the metal with which Europe had been enriched; and again the effects of monetary shrinkage began to make themselves felt in a fall of prices and a shrivelling of industry. Professor Jevons demonstrated that between 1809 and 1849 the purchasing power of money increased fully one hundred and forty-five per cent., which is but another mode of stating that the general level of the prices of commodities fell sixty per cent., or at the rate of one and a half per cent. per annum.

As was to be expected, all industry was deranged, and distress was universal. As a consequence, the masses of the people in all countries became engaged in riot and insurrection. In Great Britain mass meetings were held which sent to Parliament monster petitions for bread. On the continent of Europe open revolt taxed the energies of the troops, and as a result of a display of military force, large numbers of the people took refuge in secret political organisations, which, under cover of darkness, plotted the overthrow of social order.

So subtle was the cause of the difficulty that its origin eluded detection. The distress of the working classes was attributed to all causes except the real cause. By some it was ascribed to the greed and cupidity of the employing classes. By others—among them, for the most part, the economical writers of the time—to over-production of commodities. The working men adopting these explanations, inveighed violently against labour-saving machinery, and against employers as a class. They could observe the hesitancy of capital to invest in productive enterprises—an investment that would mitigate the evil by giving employment to labour—but they failed to perceive that during a period of falling prices capitalists are compelled in self protection to avoid industrial undertakings. It did not occur to the workers nor to those who undertook to inform and instruct them in political economy that at such time the basis upon which the operations of industry are conducted is not a level platform but an inclined plane—the production of the articles being effected at the cost or price corresponding with the higher end of the platform, while sales are effected at figures corresponding with that of the lower end. Employers were therefore carrying on business with little or no profit, and it was hardly to be expected that capital would seek investment in a direction in which the risk was not warranted by the reward.

The discoveries of California and Australia at last came to the aid of man. As the new money supply distributed itself throughout all countries, such a change came over the face of the world as can be compared only to that produced by copious rains after a season of prolonged drought. A rich harvest of industry followed. Everywhere the wheels of commerce were set in motion, men were called from idleness to labour, and an era of universal prosperity was ushered in. This naturally resulted from the insatiable demand for money natural to man.

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What is money?

What is
money?

The teaching of political economy is that the money of a country is that thing, whatever it may be, which is commonly accepted in exchange for labour or property and in payment of debt, whether so accepted by force of law or by universal consent. Its value does not arise from the intrinsic qualities which the material of which it is made may possess, but depends entirely on the extrinsic qualities which law, or general consent, may confer.

It is the physical agency to which society has assigned the function of measuring all equities, and it is the sole agency upon which that incomparable function has been conferred.

In order to measure equitably the natural and inevitable mutations in the value of other things money should be of unchanging value; that is to say, any given amount of money should, so far as human foresight can regulate it, require at all times an equal amount of sacrifice for its acquisition.

No one will deny that the most important quality that money can possess is that it shall truthfully measure and state equities.

The reasoning of all the leading authorities on political economy and the entire logic of the situation lead irresistibly to the conclusion that the value of money does not reside in the material but in the legal tender function impressed by law on that material. In other words, money is an order for property and services, and the money value is conferred by the stamp of the supreme authority.

In support of this interpretation I cite the following:—

Aristotle, writing of money, says:—

“Money by itself . . . has value only by law, and not by nature; so that a change of convention between those who use it is sufficient to deprive it of all its value and power to satisfy all our wants.”

And again, he says:—

“But with regard to a future exchange (if we want nothing at present), money is, as it were, our security that it may take place when we do want something.”

John Locke, in “Considerations,” &c., regarding money, published in 1691, says:—

“Mankind, having covenanted to put an imaginary value upon gold and silver, by reason of their durableness, scarcity, and not being very liable to be counterfeited, have made them, by general consent, the common pledges whereby men are assured, in exchange for them, to receive equally valuable things to those they parted with, for any quantity of those metals; by which means it comes to pass that the intrinsic value regard in those metals, made the common barter, is nothing but the quantity which men give or receive of them; they having, as money, no other value but as pledges to procure what one wants or desires.”

Baudeau, reputed one of the most eminent of an early school of French economists, says:—

“Coined money in circulation is nothing, as I have said elsewhere, but effective titles on the general mass of useful and agreeable enjoyment which cause the well-being and propagation of the human race.

“It is a kind of a bill of exchange, or order payable at the will of the bearer.”

Adam Smith says:—

“A guinea may be considered as a bill for a certain quantity of necessaries and conveniences upon all the tradesmen in the neighbourhood.”

Jevons (Money and Exchanges), Chapter VIII., says:—

“Those who use coins in ordinary business need never inquire how much metal they contain. Probably not one person in two thousand in this kingdom knows, or need know, that a sovereign should contain 123·27417 grains of standard gold.

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"Money is made to go. People want coin, not to keep in their own pockets, but to pass it off into their neighbours' pockets"

Henry Thornton, in his work on "Paper Credit," says:—

"Money of every kind is an order for goods. It is so considered by the labourer when he receives it, and it is almost instantly turned into money's worth. It is merely the instrument by which the purchasable stock of the country is distributed with convenience and advantage among the several members of the community."

John Stuart Mill says:—

"The pounds or shillings which a person receives are a sort of ticket or order which he can present for payment at any shop he pleases, and which entitle him to receive a certain value of any commodity that he makes choice."

McLeod (Elements of Banking), Chapter I., says:—

"When persons take a piece of money in exchange for services or products, they can neither eat it nor drink it, nor clothe themselves with it. The only reason why they take it is, because they believe they can exchange it away whenever they please for other things which they require."

On that view of money McLeod feels justified in styling it credit, and he quotes in support of such a use of the term credit, Burke's description of gold and silver as "the two great recognised species that represent the lasting conventional credit of mankind."

Prof. Francis A. Walker, "Money, Trade," &c., page 25, speaking of carved pebbles, glass beads, shells, and red feathers, used as money in certain countries at certain times, says:—

"They were good money, though serving no purpose but ornament and decoration. They were desired by the community in general; men would give for them the fruits of their labour, knowing that with them they could obtain most conveniently in time, in form, and in amount, the fruits of the labour of others."

On page 30 he says:—

"Men take money with the expectation of parting with it; this is the use to which they mean to put it."

Again, Mr. Walker says:—

"Money is that which passes freely from hand to hand throughout the community, in final discharge of debts and full payment for commodities, being accepted equally without reference to the character or credit of the person who offers it, and without the intention of the person who receives it to consume it, or enjoy it, or apply it to any other use than, in turn, to tender it to others in discharge of debts or payment for commodities."

Even Bonamy Price, who is wedded to the gold standard, in his "Principles of Currency," says:—

"Gold, in the form of money or coin, is not sought for its own sake as an article of consumption. It must never be regarded as valuable except for the work it performs, so long as it remains in the state of coin. It can be converted at pleasure into an end, into an article of consumption, by being sold; till then it is a mere tool."

How many people ever so "convert" it that earn it?

The great philosopher, Bishop Berkeley, one of the most acute reasoners, in my judgment, that modern times have produced, in the "Querist," published in 1710, propounds the following pertinent and suggestive questions:—

"Whether the terms 'crown,' 'livre,' 'pound sterling,' &c. are not to be considered as exponents or denominations? And whether gold, silver, and paper are not tickets or counters for reckoning, recording, or transferring such denominations? Whether the denominations being retained, although the bullion were gone, things might not nevertheless be rated, bought, and sold, industry promoted, and a circulation of commerce obtained?"

Dugald Stewart, Professor of Moral Philosophy in the University of Edinburgh in his Lectures on Political Economy (Part I., Book II.), said:—

"When gold is converted into coin, its possessor never thinks of anything but its exchangeable value, or supposes a coffer of guineas to be more valuable because

they are capable of being transferred into a service of plate for his own use. Why then should we suppose that, if the intrinsic value of gold and silver were completely annihilated, they might not still perform, as well as now, all the functions of money, supposing them to retain all those recommendations (durability, divisibility, &c.) formerly stated, which give them so decided a superiority over everything else which could be employed for the same purpose.

"Supposing the supply of the precious metals at present afforded by the mines to fail entirely the world over, there can be little doubt that all the plate now in existence would be gradually converted into money, and gold and silver would soon cease to be employed in the ornamental arts. In this case a few years would obliterate entirely all trace of the intrinsic value of these metals, while their value would be understood to arise from those characteristic qualities (divisibility, durability, &c.) which recommend them as media of exchange. I see no reason why gold and silver should not have maintained their value as money, if they had been applicable to no other purposes than to serve as money. I am therefore disposed to think with Bishop Berkeley, whether the true idea of money, as such, be not altogether that of a ticket or counter."

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As in the case of all other things the value of money is regulated by demand and supply; but the demand for money is totally independent of, and radically different from, the demand, for commodity purposes, for the material of which money is made.

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What is the character and what is the extent of the demand for money? Inasmuch as the demand for all other things that are objects of human desire finds its first expression in a demand for money, the money demand must be equivalent to the sum of the demands for all other things whatsoever. With every individual the demand for money is instant, urgent, and constant. By reason of the incessant, intense, and universal competition to get it, the demand for it is always at a maximum. None but a beggar ever makes a demand directly for the articles he needs. Every man who labours offers his labour for the largest amount of money he can get in exchange for it. If a man wants a pair of shoes or a suit of clothes he does not offer to exchange his labour direct with the shoemaker or clothier. He offers his labour to employers in his own trade in exchange for money, and with the money thus obtained, makes his demand upon the shoemaker or clothier. Each employer in turn offers to part with goods or property, not for other goods or property, but for money. By this process every man is engaged each in his own vocation in eager and unceasing competition with every other man for units of money. So each shoemaker is in competition with all other shoemakers to obtain units of money; each hatter in competition with all other hatters to obtain units of money, and so of men in all other occupations. The intensity of the competition or demand for money must therefore always be equal to the aggregate intensity of the demand for all other things combined.

That being the demand for money, what is the supply? The supply of money in any country is the total number of money units actually or potentially in circulation. The value of the unit is fixed by the force with which the demand for money presses upon the supply. In dealing with the value of money we have to deal with the unit only; we have nothing to do with the total value of money. Whatever quantity of money the world may at any given time possess will represent the maximum value which could be represented at the same time by any sum whatever. If the total amount of the world's money were a thousand million dollars, the loss or destruction of one half that sum would, *ceteris paribus*, cause no decrease in the total purchasing power of money. All the power of the one thousand million would soon be transferred to and concentrated on the remaining five hundred million, which would then perform all the work theretofore done by the entire original sum. The difference would be evidenced by a change in the value of the unit only, that is to say, each remaining dollar would have its value increased in the proportion that the original sum bore to the sum that remained. In this instance there being only half as many dollars left, each remaining dollar would have twice as much value as it had before—twice as much purchasing power, twice as much command over the products of human labour, over commodities and property, as it possessed while forming part of the thousand million. For the same reason if at any given moment (other things remaining the same) the amount of money be doubled, no increase whatever of total purchasing power of the country's money would thereby be effected. The value of the new total sum is not in the least degree greater than that of the old total sum, notwithstanding that the number of units has been doubled. The work that was done by the one

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thousand million dollars would now be distributed among the two thousand million with the result that the value or purchasing power of the new dollar or unit would be decreased in a degree proportioned to the increase of the number of dollars. That is to say, each dollar constituting part of the new total sum would have but one-half the purchasing power that it possessed when it constituted part of the old. The reason is to be found in the changed relation of the forces of supply and demand. In the instance first cited, but one dollar is left where before there were two dollars. The supply of money is thus reduced one-half, while the demand has remained as before.

There being no substitute for money, no matter what exigency presents itself, it is impossible to transfer to any other thing the force of the demand for it. It being the only thing that will pay debts, those who do business on borrowed capital must have it, or the sheriff's flag will be brought into requisition upon an execution in bankruptcy. Money being the only thing that commands all other things, all the people must have it, or society must revert to barbarism.

Among even intelligent persons in the business world it is a common belief that money—especially gold—is unvarying in value, but that is not the teaching of the authorities in political economy.

Dr. Adam Smith, in his "Wealth of Nations," Book I., chapter 5, says:—

Gold and silver, like every other commodity, vary in their value. The discovery of the abundant mines of America reduced in the sixteenth century the value of gold and silver in Europe to about a third of what it had been before. This revolution in their value, though perhaps the greatest, is by no means the only one of which history gives some account.

And again:—

Increase the scarcity of gold to a certain degree and the smallest bit of it may be more precious than a diamond.

John Locke, "Considerations, &c.," says:—

The greater scarcity of money enhances its price and increases the scramble; there being nothing that does supply the want of it; the lessening of its quantity, therefore, always increases its price and makes an equal portion of it exchange for a greater of any other thing.

Prof. Francis A. Walker, "Money," &c., page 210, says:—

Gold and silver do, over long periods, undergo great changes of value and become in a high degree deceptive as a measure of the obligation of the debtor of the claim of the creditor. Thus Professor Jevons estimates that the value of gold fell between 1789 and 1809 46 per cent., that from 1809 to 1849 it rose 145 per cent., while in twenty years after 1849 it fell again at least 20 per cent.

Jevons, "Money and Exchange," chapter 6, says:—

In respect to steadiness of value the metals are probably less satisfactory, regarded as a standard of value, than many other commodities, such as corn.

And again, in chapter 24 of the same work, he says:—

We are too much accustomed to look upon the value of gold as a fixed datum line in commerce; but in reality it is a very variable thing.

McLeod, "Principles of Economics," chapter 5, says:—

All governments can do is to maintain a fixed weight and purity in the current coin of the realm; but they can no more control its variations in value than they can regulate the motions of the stars by Act of Parliament.

Sir Archibald Alison (England, in 1815 and 1845) says:—

The coining of gold and silver, which is universal in all civilized nations, and affixing to them one definite and permanent value by authority of law, has no effect whatever in preventing the fluctuations in the real value of the current coin of the realm.

If we are to rely upon gold alone for money, the world must be prepared for a period of long-enduring distress and disturbance. But why should we rely on gold? Its prestige comes from the general belief that its value as money is derived from its value as a commodity in the market. The fact that the Bank of England under the requirement of its charter always gives 3*l.* 17*s.* 9*d.* for an ounce of the metal, and

The value of gold as money not derived from the value of the metal as a commodity.

that it can nowhere else be got for less, is taken to be a demonstration that the demand for gold as a commodity determines the value of the metal as money.

The annual yield from the mines being about one hundred million dollars, and the demand for the metal in the arts about sixty five millions, while for coinage there is a demand for but thirty-five million dollars, it is argued that the commodity use is greater than the money use and therefore fixes the value of the metal.

I maintain that this theory is fundamentally wrong. Instead of the commodity demand establishing the value of gold as money it is the demand for the metal as money that fixes its price as a commodity. This should be plain from a consideration of the factors entering into the question of supply and demand.

The demand for gold, as for other things, must mean the *aggregate* demand for that metal for all purposes whatever. It must therefore include the demand for gold for purposes of money as well as for use in the arts.

Against this what is the aggregate supply? Manifestly not the trifling production of one year. The metals being practically indestructible, the aggregate supply available each day is the entire stock in existence, the stock that has been accumulated through the slow process of time, reinforced each year by the current product from the mines. In other words, the aggregate supply is the supply from *all* sources; the aggregate demand, the demand for *all* purposes.

The total amount of gold in existence estimated in money of the United States appears to be, in round numbers, about four thousand million dollars. Such portion of this as exists in the form of bullion is not the only portion on which the art demand is made. When a jeweller, dentist, or gilder wants gold for the purposes of his trade, he does not seek the seller of bullion. He takes the gold coins and melts them up. As I have said, therefore, the supply available for commodity purposes, and against which that demand presses, is the entire stock of gold in existence. This means a commodity demand of sixty-five million dollars, operating against a supply of four thousand million dollars, or in the proportion that 65 bears to 4,000.

What, on the other hand, is the demand for gold as money? To measure this demand by the coinage of each year would be in the last degree absurd. We know that all the labour and the saleable property in Europe and America are constantly offered in exchange for gold. It would not be too much to assume that each dollar of the four thousand million in existence is earned, that is to say, an effective demand is created for it, twice in each week or one hundred and four times a year. This constitutes a total annual demand of four hundred and sixteen thousand million dollars. The proportion therefore which the commodity use of gold bears to the demand for its use as money is the proportion that 65 bears to 416,000.

It is this colossal money demand and not the insignificant art demand that fixes and determines the value of gold. The statement that the precious metals are dependent for their value or price upon the coinage demand is supported even by the very name "bullion" which originally meant the "mint," where the alloy for the coinage was prepared and the coin impressed with the stamp of the Government. From the frequency with which in France the Government authorities debased the coinage, the word "billon" ("mint") came to signify the base mixture issued from the place of coinage.

Not only is the money demand infinitely the larger of the two but it is increasing in an accelerated ratio.

Take away from gold the demand for it as money; limit the demand for it wholly to the commodity demand and what should we see? A stock of four thousand million dollars on the market at a given time against which there would operate an art demand of only sixty-five million dollars in any one year. This would constitute more than sixty years supply of the metal for use in the arts. What, let me ask, would be the value of any other commodity of which there were sixty years supply on the market at a given instant of time? What would be the exchangeable value of iron, steel, brass, copper, or nickel, if the available supply of those metals in the markets of the world were sufficient to meet all demands for sixty years to come?

That the commodity demand can exercise only the most inappreciable influence on the value of gold is reinforced by a consideration arising from the nature of the case. It will be admitted that it is of the utmost importance to society that the value of money be maintained as nearly invariable as possible. From this it is clear that before any material was fitted to be applied to the money use it was essential that there should be in existence so large a quantity of it as would be sufficient to insure society against any serious fluctuations in its value, whether caused by oscillations in the demand for ornaments or by sudden changes in the current yield from the mines. When only a

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small stock existed, even a moderate fluctuation in the annual production would have had a most disastrous effect on the value of money. A similar effect would be produced while but a small stock existed if a serious increase or decrease should take place in the demand for gold for commodity purposes. It is therefore manifest that neither gold nor silver was wholly fitted to replace barter and to be dedicated to the money use until so large a quantity of each had been extracted from the earth as to render it impossible for ordinary fluctuations either in the commodity demand or in the yield from the mines to exercise any material influence on the value of money. Neither metal was completely adapted for the money use until the whole stock in existence became so enormous in comparison with the demand for it for commodity purposes that the pressure of that demand in any one year was reduced to insignificance. In other words, the condition precedent, by which alone the metals could become, and did become, fitted for the money use, was the almost total destruction of their commodity value. That value was practically annihilated by the immensity of the quantity which had accumulated through the ages.

The theory that money must have what is unscientifically termed intrinsic value is based upon a confusion of ideas arising from the assumption, perfectly correct in itself, that men should labour before receiving money, and that money which did not represent labour, that is to say, money which did not represent human sacrifice, should not be accredited with the power to purchase or command the products of labour. So it has been assumed, because gold and silver cannot be obtained without labour, that they are therefore the only materials adapted for money. Ignoring for the present the fact that the larger part—fully nine-tenths—of the gold stock of the world has been obtained without much toil, for the alluvial sands have yielded gold, as the fields yield earth, to him who stoops to pick it up, it is to be observed that what gives value to money is not what it costs *before* it is coined, but what it costs to obtain it *after* it is coined, and this cost is determined by the general range of prices of commodities. Undoubtedly the cost of production of precious metals in the long run affects the quantity produced, and thus ultimately, and over long periods, affects the value of the monetary unit by making money either scarce or plentiful.

Even this result, however, applies to money in a sense and to a degree altogether different from its application to other things. No increase of value, for example, which gold or silver might attain could increase the quantity of those metals in the bowels of the earth, while a greatly increased value in wheat would be likely to lead to an enormous production of that article. The value of any article that has unlimited power to pay debts, and for which there is therefore a demand for all that can be produced, can bear no direct relation to the cost of its production; but, as I have stated, is fixed by the cost, in labour or the products of labour of obtaining it after it is produced.

That the value of money is not determined by the cost of production must be apparent when we note the purchasing power of paper money throughout all well-established commercial countries, even in those with a gold standard. The paper costs practically nothing, yet it has a value exactly equal to gold. The small change of the world, moreover, is a further illustration of this principle. All know that the divisional money of all countries falls very far short of what is called full-value money, yet 20 silver shillings will buy as much as a gold sovereign.

In his work upon the "Economic Interpretation of History," Professor Thorold Rogers, of Oxford, says:—

Of course in no exchange can you separate the cost of acquisition from the cost of production, but, in the exchange of goods against gold and silver, the *cost of acquisition is more obvious than that of production.*

The idea that money either must have or does have "intrinsic value" is a delusion as great as that of the early Anglo-Saxons, who did not believe that a conveyance of land could have binding force unless a sod of earth dug from the field intended to be conveyed was placed in the physical possession—directly into the hands—of the purchaser. This transference of a piece of the soil from the old owner to the new was the act or "deed" which gave title to the land. This form of "deed" has long since been discarded. The new "deed," though nothing more substantial than a piece of paper, conveys a perfect title.

It is not difficult to understand the importance of a function, as contradistinguished from the instrument or material thing selected by men to give it expression. The question of the material substance selected by society to bear the money-function would be a question of importance if money were a thing desired in

order to be consumed, or for any other use than to be parted with. The object for which money is sought is that it may be exchanged for something else. Food and clothing fulfil their respective functions only by being consumed; works of art by gratifying the eye; musical instruments by delighting the ear. Unlike all other things, money serves no purpose except by being parted with. It is only thus that it can exercise its imperial function of commanding all other things. This all-controlling power of a function as contra-distinguished from the material which gives it expression may further be seen in observing the all-controlling power of law. What is a statute? Surely not the piece of parchment on which are inscribed the words that give it expression. So with a ballot. Would the elective franchise derive additional force by making ballot-boxes exclusively of gold? One of the most important respects in which a high civilization differs from barbarism is the differentiating of functions from the material substances on which they are conferred. With the progress of society, the function becomes more, and the substance which bears it less, controlling.

The gospel of intrinsic value is one that well accords with the purpose in view on the part of the money-lending classes, when they insist that value resides in the article rather than in the mind. They would like the world to believe that gold has intrinsic value rather than intrinsic qualities. By fastening the word "value" to the word "gold," they appear to think that the world will be humbugged into believing that gold has irremovable value.

So we see numbers of articles in the daily press insisting, at least by implication, that gold has been elevated, by some power or force unknown to natural science, out of and above the influence of the force of supply and demand, a force that governs the value of all other things. It is therefore largely taken for granted that whenever a difference arises between the value of any other money and that of gold, it is the gold that has remained steady, while the silver has changed. People refuse to examine whether the difference is not caused by a change in the value of gold.

The much-vaunted intrinsic value of gold, then, does not exist. The idea that it does exist is founded upon a misconception, altogether too long tolerated, regarding the meaning of the term "value."

Value I define to be human estimation placed upon desirable objects whose quantity is limited, and whose acquisition involves sacrifice.

Value is subjective, not objective. It resides not in the article, but in the mind. It is the degree of mental estimation in which the possessor of an article holds the qualities possessed by the article, as modified by the limitation of the quantity of such articles, and the average amount of sacrifice necessary to obtain them. An article may therefore have estimable qualities that are intrinsic, and for which the possessor may value or esteem it, but no article whatever can have *intrinsic* value.

Gold, therefore, has no intrinsic value. As a commodity it has qualities that are esteemed. The value placed upon it is not derived from its commodity use, but from its use as money. The money quality is not an inherent, not a natural, not an intrinsic quality of gold, but is purely artificial. Money itself is an artificial creation. It is created by the edict of society, and can exist only in society. Value in other things may exist for man in a state of isolation, but money is of no use to him there, though essential to him in association with his fellows. The qualities that can be conferred on any article by the edicts of society must at the best be extrinsic and artificial. This is not to imply that the qualities thus conferred are inferior to those that may be intrinsic in the same article. On the contrary, so far as concerns gold, the money function which at the command of society it fulfils is infinitely more essential to the welfare of man than any of the uses to which it is possible to devote gold as a commodity. I hold the money function to be the most imperial of all the functions that can be conferred upon matter. It is the function by which men are enabled to live in aggregations—without which they could not fulfil their high destiny. In comparison with such a function—with such a use—how insignificant becomes the paltry use of gold for bangles, for finger rings, for table spoons, or for any other of the purposes to which it may be applied as a commodity.

In every discussion of the money question the advocates of the gold standard insist that owing to the use made of cheques, drafts, and bills of exchange, no increase of money, whether of gold or silver, is necessary. As proof of this they cite the statistics of the London and New York clearing-houses, which, as they claim, show that at least in England and the United States 95 per cent. of business is transacted with those devices and only 5 per cent. with money.

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Even were this true, neither cheques nor clearing-houses are new devices. They have long been in full force and operation. The proportion of cheques to money is not increasing. It is the same that it has been for many years in the past. There is ample demonstration of this, although the proofs are conveniently ignored by those who find it necessary to sustain the gold standard without reference to its failure to promote the prosperity of the masses of mankind.

In 1866 Mr. Babbage, in a paper read before the Statistical Society of London, showed that so early as 1839 the amount of cash that passed daily in the exchanges was frequently less than 4 per cent. In 1865 Sir John Lubbock demonstrated that money (including bank notes and coin) formed only $2\frac{1}{8}$ ths per cent. of the transactions of the bank of which he is a partner.

Mr. John B. Martin, a London banker, submitted to the same Society figures drawn from the official tables, showing that the London bankers in 1880 made exactly the same per-centage of their payments in coin that they had made in 1864.

In an address delivered before the London Institute of Bankers, April 18th, 1883, Mr. Goschen said:—

“As regards England, then, I do not see that there has been any economy in the use of gold to counterbalance the increasing demand of the population, nor are we aware—those of us that have been able to look into the matter—that in France, or Germany, or elsewhere, the economies have been such as to counterbalance the increasing demand for gold.”

And he added:—

“To sum up this part of the question, wishing to make every allowance for the fact that as little gold is used as it is possible to use, and that every economy in its use is studied by bankers in England and elsewhere, I certainly do share the opinion that the economies effected do not counterbalance the strain put upon gold either by the increased demand of the population for pocket money or for the liquidating of the enormously increased balance of transactions both of this country and of others.”

Mr. Giffen, in the Journal of the London Statistical Society for March, 1879, presents a paper in which he states:—

“The United Kingdom was very fully ‘banked’ before 1850, the growth of banks and banking business having since been no more than in proportion to the increasing wealth of the community.”

Not merely Great Britain but every other country is “banked” to the extent that it has been found profitable to bank it. The world can trust the intelligence and the acumen of the money-lending classes to avail themselves of every available opportunity in which a good return for money may be expected. Banks are started, not with the altruistic view of benefiting the community but the bankers.

So cheques were invented, not as an aid to the currency or to the public, but as an advantage to the banks. So long as their use is for the benefit of the bankers, they will continue to be, as they have hitherto been, fully availed of.

But, instead of cheques and clearing-houses being independent of money, the whole structure of credit, of which they are the instruments, is erected upon money as upon a necessary foundation. The limit of their use in any country is determined by the volume of money in circulation in that country. Without money there would be no cheques or clearing-houses; and whatever proportion or per-centage such expedients bear to the volume of money, that proportion or per-centage cannot be augmented except through a prior augmentation in the money volume.

All banks and banking devices grow out of credit, and credit is, and always must be, proportioned and co-ordinated to the volume of money. It does not exist by and of itself; it presupposes the payment of money, and is based on such payment.

Cheques, drafts, and bills of exchange, deriving all their efficacy at any given period from the proportion, whatever it may be, which they then bear to the volume of available money in the community, can only increase as that volume increases; they must inevitably diminish in the full proportion that that volume diminishes.

If this be not so, then we are at a loss to understand the recent embarrassment of a celebrated banking firm of Great Britain, and must express our astonishment at the terror which the condition of that firm inspired in every banking and business house in the kingdom. It cannot be doubted that every device known to the most experienced banker was within the knowledge and at the command of this firm—a house that for

more than a century had stood in the front rank of the banking and business community of Great Britain. Before succumbing to the inevitable they doubtless availed themselves of every possible aid to be found in cheques, drafts, promissory notes, and bills of exchange. What was it that rendered futile all further resort to those devices? What was it that called the halt? What but the knowledge that the limit had been reached at which the amount of these instruments of credit bore relation to money. Their difficulty was that they did not have sufficient money on which to base further cheques and drafts. If it be true that but one-twentieth part of all payments consists of cash, it would appear that they did not have the prescribed one-twentieth on which to base any further superstructure of cheques, drafts, and bills of exchange. If money is so trifling a matter in the conduct of business, this was a good opportunity to prove it.

Notwithstanding the spectacle of impotence exhibited in this instance by cheques, drafts, and bills of exchange, we continue to be informed that money is but the "small change of commerce," and that owing to the extensive use of instruments of credit, only the merest trifle of actual money is necessary for the transaction of business.

Whatever this so-called "trifle" may be, it is the basis of all credits. Even were it admitted that nineteen-twentieths of the world's business is done with instruments of credit, and only one-twentieth with money, this would but furnish an irrefutable argument why the "one-twentieth," which is to bear up the entire structure of credit, should at all times be absolutely sufficient for the needs of industry.

Money is indispensable to the existence of all cheques, drafts, and bills of exchange; it could exist without cheques or drafts; it existed for thousands of years before they were invented. They, on the other hand, could not exist without money. All banking and banking expedients are founded on money, and predicated on the concurrent existence of money. Every cheque and draft calls for a specific sum in money; it is an order for a fixed number of dollars or pounds which the signer of the cheque or draft has to his credit. The cheques and drafts of those who have no money are not recognised or honoured by banks.

Lord Overstone, himself a banker, and probably in his lifetime the most influential and authoritative of the supporters of the single gold standard, when testifying before the Special Committee of Parliament in 1840, was examined in regard to this question of the relation of the volume of money to credit. He was asked the question:—

"Is the amount of bills of exchange dependent in some degree on the quantity of money?"

To this Lord Overstone replied:—

"I apprehend that it is dependent in a very great degree. I consider the money of the country to be the foundation, and the bills of exchange to be the superstructure raised upon it."

With reference to the point of the special dependence of bills of exchange upon the increase or decrease of the money volume, Lord Overstone said:—

"I conceive that the bills of exchange are an important form of banking operations, and the circulation of the country is the money in which these operations are to be adjusted; *any contraction of the circulation of the country will of course act upon credit*. Bills of exchange being an important form of credit will feel the effect of that contraction in a very powerful degree."

It is well known that the profits of bankers are derived from the utilisation of credit, but it will surely not be contended that the amount of credit thus utilised is independent of the amount of money at the command and disposal of the bankers. If the total amount of money placed on deposit with banks be reduced by any certain per-centage, will anyone contend that a proportionate reduction will not take place in the per-centage of credits superimposed upon that total deposit? Do we not know that under such conditions the practice is that even a greater per-centage of credit is withdrawn?

Bi-metallists have never denied that cheques and drafts form a component part of the system of payments; they simply insist that cheques and drafts are already utilised to the full. No advocate of the gold standard will claim that cheques can be drawn without limit, or that bankers will pay them if so drawn.

What, then, is it that fixes the limit beyond which cheques cannot be drawn? Manifestly the proportion of money which experience has shown to be indispensable as a basis of credit. We are not informed of any new device by which the volume

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on bi-metal-
lism.

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of money can be economised to any greater extent than at present. Yet, under present conditions, the prices of all commodities are falling, and industrial conditions are yearly becoming less and less satisfactory. Some provision must be made for the future. It is impossible that that provision can be any larger proportion than at present of cheques and bills of exchange. It must be more money. Every dollar of bank deposits is already used, and will continue to be used, even to the verge of danger, for the profit and advantage of the banks. Every expedient which the ingenuity of man has been able to devise has already been resorted to, in order to utilise to the utmost possible limit every penny of deposits. How then can relief be had—how can further credit be obtained? How shall the situation be redressed; and industry be relieved? Above all, how shall employers of labour be enabled to put idle men to work? Only by so increasing the volume of money as that the prices of the products of labour may be held at a steady level.

This it is impossible to do if gold alone is to be relied on. Silver must be restored to the position it has occupied throughout history before relief can be found for present conditions.

But even assuming that the cheques drawn exactly balanced each other and were settled by making entries in the books of the banks, it would not then be true that 95 per cent. of the world's business is conducted by means of cheques and drafts. A cheque performs its function in one act. Having performed that one act, it dies. Having paid the man in whose favour it was drawn, it is of no further use. It effects but one exchange while each dollar of money may affect 10,000 exchanges.

Of the 2,000 million dollars said to form the entire money volume of the United States, if we leave out of account the amount in the treasury and the amount held as reserves in the banks, we have a round sum of about 1,000 million dollars as the amount of money in active circulation and in the pockets of the people.

If every dollar of this money changes hands only once a week, it gives a total exchange for the year of 52,000 million dollars, an amount nearly equal to the total exchanges of the clearing-houses, which for the last year amounted to 57,000 millions. If, however, we suppose that in the course of retail trade throughout the country each dollar changes hands twice a week—which is not an unreasonable hypothesis—it would give a total amount of 104,000 million dollars a year of *money* duty as against a *cheque* duty of but 57,000 millions.

The prosperity of business depends on the demand for commodities that are the product of labour. Demand for commodities depends in turn on the extent to which the masses of the people have money with which to make purchases; and the money of the masses, the money of nine-tenths of the people, is derived from wages, which are, and always must be, paid in cash, not cheques.

When the prices of commodities decline, it is impossible to suppose that cheques and drafts can be issued to the same amount as before, for the same extent of business. It is only as the business done represents an increased number of money-units that cheques and drafts can increase in amount, and the increase in the use of those instruments will next year bear the same proportion to the business *then* done as their amount this year bears to the amount of business *now* done.

The advocates of bi-metallism do not under-estimate the utility and efficiency of cheques, drafts, and bills of exchange; but the friends of the gold standard preposterously over-estimate them.

If the present ruinous process of falling prices is to be arrested, a larger supply of money must be provided with which to do business. Where is this money to come from, unless the immemorial function of silver be restored to it?

The method of relying on the mines for the material of money had been adhered to through all the ages until 1873. In this adherence the balance of advantage was largely in the interest of the creditor classes, because it raised an almost insurmountable barrier to an over-abundant supply of money. There have been but a few periods in history, and those short ones, when the yield of gold and silver combined was not scant in comparison with the demand for them. It has been only during those short and exceptional periods that the burden of debts has been lightened by a fall in the value of the money unit, owing to the increased quantity of one or the other of the metals. At all other periods, however—periods which, taken together, constitute almost the entire course of time—the burden of debts has pressed with crushing force upon the debtor classes, owing to the deficient supply of the money metals and the increasing value or purchasing power of the money unit. This system having been accepted by the creditor classes in their own interest, so long as they insisted upon

The so-called
automatic
money
system;
Creditors
willing to
accept its
advantages,
but unwilling
to accept its
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enjoying its advantages they should be willing to accept its disadvantages. Until 1873 their contention always had been that however otherwise enlightened and adapted for self-government a people might be, however perfect their social and political development, however advanced their knowledge of the arts and sciences, they could never acquire sufficient intelligence, virtue, or self-control to be entrusted in their parliamentary capacity with the decision of the question as to what should be the material of money, or the number of units of money that might at any given time constitute the volume of the circulating medium. The people might be sufficiently advanced in intelligence and virtue to regulate all the other innumerable and complicated interests of society, to enact wise laws for the administration of justice and the repression of crime, they might be trusted to specify and ordain for what causes men should be deprived of property, of liberty, even of life. But on the slightest approach to the subject of money the creditors and money dealers have, in effect, said to organised society, "Hands off! we will not trust you with the regulation of money. We prefer to accept all risks of greater or less yield from the mines rather than subject ourselves to the chances that the value of the money unit may decrease by permitting the people, in their law-making capacity, to prescribe the material of money, or to regulate the money-volume. An increasing volume of money would be injurious to our interests, a decreasing volume would be to our advantage. By the automatic system the supply of money can rarely become redundant, because of the rude obstacles which nature opposes to the production of the metals. According to the lesson of history, it will be only for brief and exceptional periods that the supply will be sufficient to keep the unit of money from increasing in value, and, except at such rare intervals, the advantages of the system will be with us, the disadvantages with the debtors."

But if one class of persons is compelled to suffer the natural disadvantages to which it is exposed from the adoption of any system, an opposing class, after enjoying all the advantages of the plan should not expect to be exempted when the inevitable turn of the wheel brings them a change of fortune. When the yield from the mines has been scant, the debtor classes have had to stand the consequences and have never demanded in their own interest the addition of any third metal to reinforce the two metals already in use in order to maintain equity of contracts at a time when the current supplies of both gold and silver were decreasing. When, for example, between 1809 and 1849, the value of money, as we are informed by Tooke and Newmarch, rose 145 per cent., or to nearly two and a half times its former worth, it did not evoke from those injured by it any demand for a departure from the automatic system. No sooner, however, did a change threaten, no sooner did the placer mines of California present a prospect of relief to industrial society, than the cry was raised by the creditors and annuitant classes of the world that money was becoming, or was likely to become, too plentiful, that a "flood" was imminent, and that every means should be adopted to avert the consequences. Even though the new supply was of gold, the decree went forth that gold must not, by increase of quantity, and greater ease of acquisition, be permitted to reduce the value of incomes derived from long leases of real estate or from money lent at interest. That gold which now, owing to its growing scarcity, is regarded, or pretended to be regarded by its beneficiaries, as the embodiment of what is absurdly denominated "intrinsic value," was then characterised as "cheap" money, whose general acceptance would be most detrimental to the best interests of society. The cry of "good" money and "honest" money was then the cry for *silver* money. This was because of the fear that gold would become too plentiful. But upon a decline of the gold yield and a slight rise in the yield of silver, gold at once redeemed itself in the estimation of the creditors. Their objection to it had not been an objection to its name, its colour, or its specific gravity, but to its interference with their interests by its increasing quantity and corresponding decreasing value. The same objection was impartially ready for use in the case of silver, when it became the turn of that metal to promise increase of quantity.

Instead of continuing to accept the consequences of the automatic system—the system which had been sanctioned by the usages of immemorial time—no sooner did the creditors perceive the probability of an increase of the money volume of the world by which their gains might be curtailed, than they gave the signal for revolt. Taking advantage of the supreme authority of law in each country, they deprived one of the metals of the power of access to the mint, thus throwing all the money work of society on the other and scarcer metal.

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In the demonetization of silver a wrong, unexampled in the history of time, was committed upon civilisation. One-half of the metallic money of the world was at a blow removed from accessibility to debtors. Debts, enormous in number and amount, had been contracted under conditions which gave the debtors the right to draw for means of payment on all the gold and silver mines of the world. Thenceforth, by legislative interference, they were deprived of their option, and were compelled to pay in gold alone, which was becoming yearly less and less capable of sustaining the industry of the world.

It has always been known that the automatic system did not admit of a perfect scientific adjustment of the money-volume to the money-needs of the world. No system of money can be perfect that is dependent for steadiness and sufficiency of volume upon the chances and vicissitudes of so precarious a business as mining. But so long as the world adheres to that system it should accept the consequences. If in the interest of the creditor classes and those enjoying the benefits of annuities and fixed incomes society sees fit to provide by legislation that the value of the money unit shall not decrease, then in the interest of the debtor classes, justice requires that society should also by legislation provide against an increase in the value of the money unit. For however injurious it may be to creditors to suffer a scaling down in the return of their loans, it is absolutely *destructive* of debtors to be compelled to pay a value beyond that which they had bargained for.

When it was decided to demonetize silver, defects were discovered in it that the scrutiny of all history had failed to disclose. It was said to have too much weight and too much bulk to be used as money. Its bulk and specific gravity, however, are no greater now than they have been through all ages. On the other hand the means of transportation without the additional cost have been enormously increased. Nor are the weight and bulk of silver any greater now than when some countries demonetized gold in favour of silver.

The banking classes and bullion dealers especially complain that the weight and bulk of silver constitute it a most inconvenient money metal.

Inasmuch as almost the entire charge for the shipment of bullion consists of insurance, and that item is the same for both metals, the charge for shipment of a million dollars in silver is no greater than for a like amount in gold. In some respects silver has advantages over gold for purposes of shipment, especially in the respect that it is less liable to furtive seizure. The arts of the engraver and paper-maker have been brought to such perfection as to make it practicable to cover a larger amount of the metals by paper certificates; indeed, the entire amount needed in the domestic circulation of a country. A silver certificate for a thousand dollars will weigh no more than a gold certificate for an equal amount.

At any rate it is hardly to be supposed that the world is prepared to sacrifice the just interests of the producing classes—the great body of mankind—in order that the convenience of a very small class of people may be consulted. The elements of weight and bulk enter into all forms of business. Industry must be altogether suspended if they are to be eliminated. When the city merchant orders a hundred tons of wheat he is not heard to object to the weight and bulk of the article on delivery. When the farmer receives for his ton of hay a trifling compensation in money he hears no complaint of the weight and bulk of the hay. In business circles, commodities are always shipped instead of money, provided it can be done at a profit, and no one is heard objecting to the weight and bulk of the commodities. Why should industry be sacrificed in order that the trifling consideration of weight and bulk may be withdrawn from the banker's business when it forms an indispensable part of the business of all other classes?

That the creditor classes fully understood the situation when the question of demonetization was first broached, is demonstrated by reference to the official summary of the proceedings of the French Monetary Commission of 1869, in which the arguments that had been presented for and against demonetization were briefly noted. Among the points advanced by the advocates of a gold standard appears the following:—

“It is easy to see that the real value of the metals has diminished. It is difficult to estimate exactly what the diminution is; but, whatever it may be, *it demands the attention of Governments, because it affects unfavourably all that portion of the population whose income, remaining nominally the same, undergoes a yearly diminution of purchasing power. As Governments control the*

Creditors
and income
classes appeal
to Govern-
ments to
interfere by
legislation
with the
automatic
system.

weight and standard of money, they ought, so far as possible, to assure its value. And as it is admitted that the tendency of the metals is to depreciate, this tendency should be arrested by demonetizing one of them."

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The declaration as to money, that the Government "ought, so far as possible, to assure its value" is significant, because one of the most urgently pressed of all the points now made by the creditors is that the Government ought not to interfere with the value of money. It appears to make a difference whose ox is gored.

Under a system in which both metals are used with full money power the debtor may at his option avail himself of money coined out of either metal. The option is not however confined to one side of any transaction, and works no injustice. The debtor is not one whit more swift to avail himself of it when repaying money than the creditor is when lending money. Money is lent in the metal which, for the time being, happens to be the more accessible. The creditor cannot therefore claim that it is his equity to be paid in the scarcer metal. The debtor may very properly complain if he is forced to pay in the scarcer metal which, when borrowing, he never receives.

Said the lamented Professor Émile de Laveleye, whose trenchant pen and keen logic we shall sadly miss from our ranks :—

"In the Greek democracies the legislators, and noticeably Solon, reduced sometimes all debts by law, in order that the people might not be brought to misery by usurers. After the discovery of America, and that of the 'Placers' of California and Australia, nature, not law, reduced the weight of debts by increasing the quantity of money. To-day an arbitrary law has favoured creditors in a most unjust manner, inasmuch as everywhere—as in England before 1816—the people had previously the right to pay their debts with either metal, whereas they are now forced to pay exclusively with gold, at a time when that metal is becoming more and more scarce. What could be more odious? Let us hope that the future leaders of the English democracy will see that the iniquitous monopoly accorded to gold sacrifices the most active part of the nation to the idle part, and they will restore to the two precious metals the rôle which science, history, commerce, and the free consent of the peoples had guaranteed them throughout the past."

Whenever a movement is originated for the purpose of awakening the public mind to the iniquity and inequity of the present financial conditions, the only answer of the creditor classes is a sneer, and the assertion that the debtors are endeavouring to evade their obligations. Who are the debtors?

One of the
arguments of
the creditors,
a sneer at
debtors.

Is not the constructive and projective energy of every country found among those who are doing business in large part upon borrowed capital? The debtors are the working bees; the creditors in large part the drones of society. The debtors are the men of action and initiative; the creditors men of ease and of inertia. Lenders of money do not ordinarily occupy themselves in the active direction of affairs. An assured income, especially if it be an increasing one, is not the most vigorous spur to activity. In the very nature of the case therefore society must look for its material progress and development to the young, the alert, the enterprising, and the ambitious. These are the men who by borrowing money set on foot enterprises, and by employing labour and intelligently superintending it, build up the national wealth.

If through a rise in the value of the money-unit there is exacted from such men an unearned increment, their estimates are thwarted, their calculations baffled, and their most carefully laid plans rendered abortive by conditions over which they have no control. All plans and projections for the future must either be made on the basis of the present value of money, or must be entirely abandoned. Can society afford to sacrifice such men to the cupidity, whether conscious or unconscious, of those who lend money? A disposition to do so sometimes crops out in the financial columns of influential newspapers, an instance of which is found in the London "Times" of October 12, 1865. Referring to a sudden increase of the rate of discount to 7 per cent., the "Times," in its city article, deprecated complaints made by merchants of London on account of the increase, and said :—

"The holders of capital constitute a section of the trading classes, quite as important as the non-holders; and the former will refute the doctrine of any serious injury being inflicted by a movement which gives them 7 per cent. instead of 4."

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On every occasion when the word dollar, franc, mark, or pound sterling is written in a contract or note it is the record evidence of an equity entered into and agreed upon between two parties. No change should be permitted to be effected in that equity, either by a furtive alteration of the figures and words in the paper, or what amounts to practically the same thing, by an equally furtive and no less successful increase in the value of the money unit during the term of the note or contract.

What would be thought of the judge or the jury who in rendering a decision or finding a verdict upon an action of contract or promissory note should to the amount found add a further item of 30 to 40 per cent., to the benefit and advantage of the plaintiff, contrary to the evidence and contrary to the facts upon which the transaction in suit was based? Would not such judge or jury be brought to account under the criminal law, and would not a court of appeal promptly set aside so iniquitous a finding? But, to my mind, if all the juries of the gold standard countries were to find unjust verdicts, and all judges to render corrupt decisions in all the cases coming before them involving payments of money, the wrong in the aggregate would not approach that which is done daily by this secret, subtle, clandestine, and unholy increase in the value of the money-unit. For, after all, juries and judges hear and determine only the cases that go to court, comprising probably not one in a thousand of all the transactions involving time-payments that are entered into among an active and enterprising people. It needs no great foresight to perceive that if matters continue as they are the time is coming when all men of business will be in the toils of the money-lenders. How many do we not see already there?

In characterising a period of unusual turbulence in the history of Florence Machiavelli said:—

“The people perished, but the brigands thrive.”

One is almost tempted to apply even this strong statement to the conditions of practical confiscation which the idle income gatherers and money lenders are effecting in these later days. The brigandage of the Middle Ages was a defiance of law, and therefore pursued at some risk. The brigand knew that his calling was unlawful, but he took his chances. His was a system of open and avowed spoliation, for which, upon capture, his life was the forfeit. But the brigandage of to-day observes all the punctilio of legal proprieties, and is conducted in the name of honour, good morals, and “sound finance.” Justice itself presides over the foreclosure of mortgages and adjudications in bankruptcy, and enforces the collection from all debtors of an unearned and unjust increment which is transferred to the creditor. The bond and mortgage of the 19th century take the place of the ruder weapons of the earlier period; but so indirect is the process that many of the beneficiaries are unaware of the wrong which they are perpetrating. To them and to their victims alike the only change that appears to take place is, not a rise in the value of the debt, but a fall in the price of the commodities with which, in the ultimate, the debt must be paid.

If, by reason of obstructions which nature has placed in the path, the production of gold is not sufficient to supply the world with money, or with the material of money, if enough of that metal cannot be got to maintain equities between men, is it not the duty of mankind to restore to silver the function of legal tender money, of which, by legislative interference, it was wrongfully deprived? For the world's needs for money there is not, and there will not be, too much silver. The annual yield is but an infinitesimal fraction of the total stock already in use as coin. But even were there too much, is it not better for society that the material on which the money function shall be conferred should be too plentiful rather than too scant. The dictum of science is well known to all who have informed themselves on the subject.

Sir Roderick Murchison, the great geologist, said:—

“The quantities of gold and silver procurable will prove no more than sufficient to meet the exigencies of an enormously increased population, and an augmenting commerce and industry.”

In his work upon the “Future of Gold,” Professor Suess, of the University of Vienna, another distinguished geologist, states that of the stock of gold existing, nine-tenths has been obtained from placers, and that those sources of supply are becoming more and more rare by being rapidly exhausted. He demonstrates that of the total yield of gold from 1848 to 1875, the proportion coming from placers was 87·78, while in 1890 the proportion of the year's yield coming from placers was but 44·02. Gold production, he maintains, must in the near future become less and less.

"The results at the present time," he says, "show us more clearly than ever that on account of its growing scarcity, this metal will no longer be in a position to fulfil the economical function that it has hitherto fulfilled."

"It is certain that gold alone will never become the money of the world in which the needs of industry will be met."

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This is a strong statement, but a true one.

Perhaps the world is not yet sufficiently enlightened to be entrusted with the regulation of money according to the dictates of reason and without reference to the accidents and exigencies of mining. Perhaps it is well that the limitation should for a time yet to come be entrusted to rude nature. But certainly until such time as mankind arrives at such stage of virtue and intelligence as will enable them under the guidance of enlightened knowledge and wisdom to regulate the value of their money with scientific precision, there is no alternative for society but to avail itself to the utmost of the output of the mines.

The remonetisation of silver is therefore in my belief indispensable to the prosperity of the world.

The difficulty is, that those who wanted silver demonetised, in order to keep the volume of money from increasing do not wish it to be restored. It would perhaps be too much to expect people who are benefited by existing conditions to take the initiative in a movement for a change. These conditions contributing to their welfare, it is not difficult for the creditor and income classes to arrive at the conclusion that they are for the welfare of society as a whole. The dogma that cupidity is a synonym for virtue will find ready acceptance among the beneficiaries.

It would be too much to expect encouragement for a change from those whose fortunes are already fixed. The movement for reform must emanate not from the creditors, but from the active producing classes. However cogent the reasons they may advance, the reply of the creditors, capitalistic classes and idle income-gatherers, will be, "Your reasoning may be correct, but our position is already secure, and we prefer no change." It is always left for those who are injured by any policy to make complaint of its evil effects, and to demand the installation of justice.

MR. JONES stated that he would continue his speech at the next Session.

The Session adjourned at 5.30 p.m.

NINTH SESSION.

Thursday, December 15th, 1892.

MR. MONTEFIORE LEVI, President, in the Chair.

All the Delegates were present with the exception of MR. TIETGEN (*Delegate of Denmark*), MR. TIRARD (*Delegate of France*), DON JOAQUIN D. CASASUS (*Delegate of Mexico*), and MR. LARDY (*Delegate of Switzerland*).

The Session was opened at 2 o'clock.

The Minutes of the Eighth Session were approved.

Letter from
Mr. Tirard.

THE PRESIDENT communicated to the Conference a letter which he had received from Mr. Tirard, who had been called to France to assume the functions of Minister of Finance. The honourable Delegate expressed his regret at being unable to participate in the labours of the Conference up to the end of its first series of meetings.

THE PRESIDENT felt that he was carrying out the wishes of the members in proposing to express to the eminent Delegate of France the regret felt by the Conference in being deprived of his valuable assistance.

Presentation
of documents.

THE PRESIDENT announced that tables and documents relating to the monetary situation in Belgium, in the United States, in France, and in Great Britain had been laid upon the table by the Delegations of those countries. He thanked these Delegations in the name of the Conference.

THE PRESIDENT laid upon the table the Second Report of the Examining Committee.*

Declaration
by Mr.
Bengesco.

MR. BENGESCO (*Delegate of Roumania*) read the following declaration :—
GENTLEMEN,

I will not, any more than my honourable colleague, Count Khevenhüller Metsch, whose cautious but substantial declarations you heard the day before yesterday, trespass on your precious time. I will not engage in a discussion of principles which neither special studies nor sufficient personal authority permit me to attempt, in the hope that it might be worthy of your kindly consideration, and I will limit myself, at a moment when the probable adjournment of our labours is broached, to expounding very briefly the view of the Government which I have the honour to represent among you—not exactly upon the grave problem which has been for three weeks the object of our deliberations, but relating in a much more general fashion to different questions allied to our studies, which we shall perhaps be permitted to examine in the course of our future debates.

Roumania, gentlemen, is one of the group of States which have adopted the gold standard, and the first result of that reform, which was not effected without sacrifices on our part, was to make the agio, which in some years had reached twenty-two per cent., disappear immediately. In accepting with sympathetic deference the invitation of the Government of the United States of America, the Roumanian Government was not unaware of the difficulties against which the proposal initiated by that Power would have to struggle. How could it be admitted that great Powers like Germany, England, Austria-Hungary, without speaking of Russia, whose gold reserves increase daily, and who advances with rapid strides towards mono-metallism, should renounce monetary systems and laws which they had adopted only after mature reflection, and after being thoroughly convinced of the advantages to be derived from them?

* See Appendix A. to the Minutes of the present Session.

Nevertheless, my Government thought that if this Conference, in spite of its desire to reach an agreement, should not be able to find an efficacious remedy for the present monetary crisis in the United States, which ensues from the demonetisation of silver in Europe and the too abundant coinage in the New World, the exchange of views which would take place between the Delegates of the different countries represented might perhaps inaugurate certain reforms in the international monetary régime relatively easy of accomplishment, and demanding neither heavy expense nor much time.

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The adoption of the decimal system in nearly all the countries of Europe, the adhesion of a large number of States (even outside of the Latin Union) to the principles of the metric system, and, in particular, so far as money is concerned, the existence in Germany, in England, in Austria-Hungary, and in Russia, of monetary units closely approaching, either in themselves or in their multiples, to the gold coins of the metric system—are not all these like forerunners or landmarks of new progress to be accomplished? Without following an ideal which various causes do not permit us to see realised in practice, without dreaming of the still impossible adoption of coins of uniform type and value, could we not, if the very limited programme of the Conference be enlarged, seek the most suitable means to obtain uniformity in gold money by international agreement, upon the basis, for instance, of the co-existence and the free circulation in all countries of gold pieces having the values of 20 and 25 francs. Could not we find the means of establishing—by means, I repeat, of international agreement—the optional coinage and obligatory circulation in each country of two gold pieces, one of 20 francs and the other of 25 francs, their weight, fineness, and form to be established by agreement, and their coinage to be under the control and supervision of the International Metric Commission to which a large number of States already belong?

What would be necessary to realise this end? It would suffice slightly to diminish (by about 30 centimes) the intrinsic value of the coin of 20 shillings, and to increase by about the same amount the coin of 20 marks.

On the adoption of this measure, the international circulation of gold money would no longer be subjected to the vexatious and tedious operations of exchange; and the conveyance of gold money from one country to another would be much simplified. In any case it would be more infrequent, since it could only have relation to the debit balances of international accounts.

That is, gentlemen, the wish expressed in the instructions given me by my Government upon the occasion of the meeting of the Monetary Conference at Brussels. I felt that I should call this special point to your considerate attention, although the question upon which I have just had the honour to speak was not upon the order of the day, and it only remains for me to excuse myself for having turned aside for some minutes the course of your important labours, especially upon the eve of the day when you are preparing to take your well-earned vacation.

MR. JONES (*Delegate of the United States of America*), continuing his speech of the Eighth Session, spoke in English as follows:—

Mr. Jones
continues his
speech.

Has silver fallen in value? It is said that it has done so. As proof of this we are pointed to the fact that it no longer holds its old relation to gold. Now, we deny that silver has fallen, and assert that what has happened is that gold has risen. How is the truth in this respect to be ascertained? When the relative positions of any two objects have undergone a change, how are we to determine in which the change has taken place? Manifestly not by observing the distance between the objects themselves, but by noting their relations respectively to surrounding objects. If a person seated in a boat that is headed to the current wishes to test whether he is making progress, he must keep in view, not the boat, but the objects on shore. One seated in a railway car observing another train upon a parallel track may, unless keeping in view surrounding objects, arrive at one of several conclusions, none of which may be correct. He may suppose his own train to be in motion when in fact it is at rest, or at rest when in fact it is in motion. On the other hand, both trains may be in motion, while, according to his belief, both are standing still. Throughout all history mankind have been more or less deceived by appearances. We would seem to have ocular demonstration that the earth is stationary, and that the sun revolves around it. The geocentric theory of the universe was once believed, not only by the masses of the people of the world, but by distinguished philosophers and astronomers. For thousands of years no conviction of religion was more devoutly entertained.

The alleged
"fall" in the
value of
silver.

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Men become accustomed to looking at things through certain mental spectacles. Thus, an Englishman, accustomed to the gold standard, and so, as it were, looking through gold glasses—seeing the variations between the precious metals is confident that silver has fallen. The East Indian, on the other hand, using spectacles of silver, is equally confident that gold has risen. The fact that each arrives at a conclusion different from that of the other does not prove either to be right. The real question is: What has happened? The fact might be that both metals had risen or both fallen, but in different degrees. A rise or fall in the value of money can mean only an increase or decrease in its purchasing power. The only way then in which a correct conclusion can be arrived at is to compare both with the things which it is the function of money to command or measure; namely, the products of human labour.

In a speech which I had the honour to address to the Senate of the United States in 1890, when the present silver law was under discussion, I attempted to present the situation in the form of an allegory, which, with the permission of the Conference, I will quote:—

“In an ancient village there once stood a gold clock, having many weights which served to regulate its movements. Ever since the invention of clocks this instrument had been the measure of time for the people of the village. They were proud of its beauty, of its workmanship, of its musical stroke, and the unflinching regularity with which it heralded the passing hours. This clock had been endeared to all the inhabitants of the village by the hallowed associations with which it was identified. Generation after generation it had called the children from far and wide to attend the village school. Its fresh morning peal had set the honest villagers to labour; its noonday notes had called them to refreshment; its welcome evening chime had summoned them to rest. From time immemorial on all festive occasions it had rung out its merry tones to assemble the young people on the green; and on the Sabbath it had advertised to all the countryside the hour of worship in the village church. So proud were the people of this wonderful clock that it became the standard for all the country round about, and the time which it kept came to be known as the gold standard of time, which was universally admitted to be correct and unchanging.

“In the course of time there wandered that way a queer character, himself a clockmaker, who, being fully instructed in the inner workings of time-tellers, and not having inherited the traditions of that village, did not regard this clock with the veneration accorded to it by the villagers. To their astonishment he denied that there was really any such thing as a gold standard of time; and in order to prove that the material gold did not monopolise all the qualities characteristic of clocks, he placed alongside the gold clock another clock of silver, and set both clocks at 12 noon. For a long time the clocks ran along in almost perfect accord, their only disagreement being that of an occasional second or two, and even that disagreement at rare intervals, such as might naturally occur with the best of clocks. But the council of the village, who could not moderate their admiration for the gold clock, passed an ordinance that all the weights (the motive power) of the silver clock, except one, be removed from it and attached to those of the gold clock. Instantly the clocks began to fall apart, and one day, as the sun was passing the meridian, the hands of the gold clock were observed to indicate the hour of 1, while those of the silver clock indicated 12.15. At this everybody in the village ridiculed the silver clock, derided the silver ‘standard,’ and hurled epithets at the individual who had the temerity to doubt the infallibility of the gold ‘standard.’ Finally, the divergence between the clocks went so far that it was noon by the gold standard when it was only 6 a.m. by the silver standard; so that those who were guided by the gold standard, notwithstanding that it was yet the grey of the morning, insisted on eating their mid-day meal, because the gold standard indicated that it must be noon. And when the sun was high in the heavens, and its light was shining, warm and refulgent, on the dusty streets of the village, those who observed the gold standard had already eaten supper and were going to bed. But this state of things could not last. It was clear that the difference between the standards must be reconciled, or all industry would be disarranged and the village ruined. Discussion was rife among the villagers as to the cause of the difference. Some said the silver clock had lost time; others that both clocks had lost time, but the silver clock more than the gold; while yet others, with much apparent confidence, asserted that both clocks had gained time, but that the gold clock had gained more than the silver clock.

"While this discussion was at its height a philosopher, travelling that way, arrived in the village, and, observing the excitement on the subject, remarked, 'By measuring two things, one against the other, you can never arrive at any determination as to which has changed. Instead of disputing as to whether one clock has lost or another gained, would it not be well to consult the sun and stars and ascertain exactly what has happened?'"

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"Some demurred to this because, as they asserted, the gold standard was unchanging, and was always right, no matter how much it might seem to be wrong; others agreed that the philosopher's advice should be taken. Upon consulting the sun and the stars it was discovered that what had happened was that both clocks had gained in time, but that the gain of the silver clock had been very slight, while that of the gold clock had been so great as to disturb all industry and destroy all correct sense of time.

"Notwithstanding this demonstration, there were many who adhered to the belief that the gold standard was right and unchanging, and insisted that what appeared to be its aberrations were not in reality due to any fault of the gold clock, but to some convulsion of nature by which the solar system had been disarranged, and the planets made to move irregularly in their orbits.

"Some of the people also remembered having heard at the village inn, from travellers returning from abroad, that silver clocks were the standard of time in India and Mexico, while in countries of a more advanced civilisation gold clocks were the standard. They therefore feared that the use of the silver clock might have the effect of lowering the civilisation of the village by placing it alongside India, Mexico, and similar countries. And although the great mass of the people really believed, from the demonstration made, that the silver standard of time was the better one, yet this objection as to the possible effect on their civilisation was so momentous that they were puzzled what course to pursue, and at last advices were consulting the disinterested speculators in gold clocks as to what was best to be done."

Now, our gold standard men are in the position of those who first refuse to look at anything beyond the two things, gold and silver, to see what has happened, and who, when it is finally demonstrated that all other things retain their former relations to silver, still persist that the law, which makes gold an inchanging standard of measure, is more immutable than that which holds the stars in their courses. If they will compare gold and silver with commodities in general to see how the metals have maintained their relations, not to one another, but to all other things, they will find that instead of a fall having taken place in the value of silver, the change that has really taken place is a rise in the value of both gold and silver, the rise in silver being relatively slight, while that of gold has been ruinously great. And those who do not shut their eyes to the truth must see that the change of relation between the metals has been effected by depriving silver of its legal-tender function, as the want of accord between the clocks was brought about by depriving the silver clock of a portion of its motive power—the weights. The only thing that has prevented a greater divergency between the metals is the limited coinage by the United States—the single weight that, withheld from the gold clock, prevented its more ruinous gain.

When a rise or fall occurs in the price of any one article of merchandise—that is to say when the relation which that article bears to money undergoes a change—all other things remaining as before—the change may properly be attributed to altered conditions of demand and supply affecting directly the article itself, and not to an alteration in the value of money. But when we see a fall of prices along the whole line of commodities, nothing can be clearer than that the change is mainly due to a change in the value of money; and, if occurring within a short period, must be almost wholly due to that cause. Owing, however, to force of habit and education people do not suspect that any change takes place in the standard by which they have been accustomed to gauge and measure values. Having their eyes fixed on the standard, they not unnaturally attribute to the articles measured, instead of to the standard, any alterations that may appear to arise in the relations they bear to each other.

Speaking of a change in the value of money, Prof. Jevons ("Investigations in Currency and Finance," page 79), says:—

"It is insidious because we are accustomed to use the standard as invariable, and to measure the changes of other things by it."

Since its demonetisation in 1873 silver has lost none of its command over commodities; and therefore none of its value. Even as bullion to-day, it has the same power in exchange for commodities that as full legal-tender money it had in 1873.

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Index numbers, printed in a late issue of the London "Economist," show that the fall in gold prices from 1869 to 1892 was thirty-three per cent. The prices of twenty-two leading commodities averaged for the period from 1865 to 1869 being represented by one hundred, the number on the first of July 1892 for the same commodities was only sixty-seven—so that on the latter date £67 sterling would purchase as much as £100 would purchase in 1869. On the other hand, taking silver prices, it is shown that the commodities which cost one hundred ounces of silver bullion in the London market from 1865 to 1869, could be bought in the same market on the first of July 1892 for one hundred and one ounces.

It seems to me, Mr. President, that these figures speak for themselves.

That gold is rising in value is further illustrated by the fact that interest upon Government bonds and similar securities is undergoing a reduction. Nothing more clearly indicates rising value in money. Those who think it an advantage for a man of business to be able to borrow money at two and a half per cent. forget that when the value of money is rising owing to deficiency of volume, men who do business on credit (as who do not?) lose more by the fall of prices and consequent depression of industry than they gain by the lowness of the rate of interest.

There should, in my opinion, be added to the science of political economy an axiom to the effect that as the purchasing power of the unit of money increases its interest-bearing power decreases. All the gold standard journals state that money was never cheaper than at present, because interest was never lower. It does not follow from this that money is really cheap. The figure of interest may be low, but its purchasing power increases as the value of the money unit increases. The rates of interest on securities must always bear relation to rates of profit in business. When productive industry yields a low rate of profit the interest on bonds will also be low.

But why should not gold have risen? Is it not subject to the law of supply and demand? And if demand increases without corresponding supply, how can it avoid rising?

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Before the question of demonetisation of silver arose, some of the ablest advocates of the gold standard were frank to admit and deplore the evils which they prophesied would result from a rise of gold owing to the failure of its supply to keep pace with demand. Thus the London "Economist" in 1869, in its review of financial conditions, said:—

"It may be safely affirmed that the present annual supply of thirty millions sterling of gold is no more than sufficient to meet the requirements of the expanding commerce of the world, and prevent that pressure of transactions and commodities on the precious metals, which means in practice *prices and wages constantly tending toward decline*. . . . The real danger is that the present supplies should fall off, and among the greatest and most salutary events that could now occur would be the discovery of rich gold deposits in three or four remote and neglected regions of the earth."

Not only have no "rich gold deposits" been discovered since that time, but the production of the deposits then known has declined. The yield of \$150,000,000, which in 1869 was considered barely sufficient to meet the demand, has fallen to \$130,000,000 in 1892, while during the same period the needs for money have enormously increased. This increasing demand, pressing upon the failing supply, was of itself a sufficient misfortune, but the subsequent demonetisation of silver struck a blow at all industry and commerce from which they have ever since been staggering.

The London "Daily News," in March 1873, said:—

"By the present Bill the German Government is certainly paying England the compliment of adopting its single gold standard, but the cost of the measure to the London and other money markets cannot but be great. As the annual money supply of gold throughout the world is reckoned at little more than £20,000,000, and the usual demand for miscellaneous purposes is very large, it follows that, if the German Government perseveres in its policy, the strain upon existing stocks and currencies will be most severe. Unless the annual production of gold should suddenly increase, the money markets of the world are likely to be perturbed by this bullion scarcity."

Again in September 1876 the same influential journal, referring to the relative scarcity of gold, said:—

"The United States might take the single gold standard, like ourselves, and this is what, till very lately, every English economist would have advised them to do. *The evils of this plan had not then been seen.*"

The London "Bankers' Magazine" for August 1881 deprecated the attempt of Italy to resume specie payments upon the ground of a scarcity of gold, yet we are constantly told there is no scarcity. The "Bankers' Magazine" said:—

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"There has thus been created a new demand for gold of considerable magnitude, and that at a time when the supplies of the metal are barely adequate for existing wants. For years past there have been complaints of a gold scarcity. The addition of Germany and the United States to the body of the nations using a gold currency has greatly increased the demand for the metal, in the production of which there has been no corresponding increase, but on the contrary a slight diminution. The international competition for gold has therefore been made keener, and the fear now is that the advent of Italy as a buyer will still further intensify this competition and thus cause a general enhancement of the value of money."

The pernicious effects of demonetisation of silver did not escape the discriminating attention of that most acute observer of events, Benjamin Disraeli (afterward Lord Beaconsfield), who, in a speech at Glasgow so early as November 1873, said:—

"I attribute the monetary disturbance that has occurred, and is now to a certain degree acting very injuriously to trade, I attribute it to the changes which the Governments in Europe are making in reference to their standard of value. Our gold standard is not the cause of our commercial prosperity, but the consequence of our commercial prosperity. *It is quite evident we must prepare ourselves for great convulsions in the money market, not occasioned by speculation or any old cause which has been alleged, but by a new cause with which we are not sufficiently acquainted.*"

The same statesman, six years later, in another speech, said:—

"Gold is every day appreciating in value, and as it appreciates in value, the lower become prices."

In January 1876, the "Westminster Review," speaking of the effect of demonetisation, said:—

"One of the things involved we hold to be the probable appreciation of gold, in other words an increase of its purchasing power, and that consequently unless fresh discoveries are made, prices have seen their highest for many a long day, and that debts contracted in gold will, by reason of this movement, tend to press more heavily on the borrowers, and that it will be well if this pressure do not become so intolerable as to suggest by way of solution something like universal repudiation."

The distinguished editor of the London "Economist," the late Mr. Bagehot, in 1877, said:—

"If Germany and America, and, let us say, the Latin Union, were to adopt the gold standard, the supply of this metal would scarcely suffice, and the money markets of the world would in all probability be seriously affected by this scarcity." ("Depreciation of Silver," page 79.)"

The late Professor Thorold Rogers, of Oxford, a most earnest adherent of the gold standard, in an article in the "Princeton Review," during 1879, on "Causes of Commercial Depression," accounted for the fall of prices as follows:—

"The principal, the most general, and in all probability the most durable [cause] is a rapid rise in the commercial value of gold. At the moment when the domain of civilisation is enlarging in every way, and when, as a consequence, the want of media of exchange corresponding is increased, one of the great States of Europe [Germany] has expelled silver, and at the same time adopted gold. She believed herself to be able to do so, thanks to the indemnity imposed upon France, but she has done the greatest harm to her population and industries."

Some idea of the pressure for gold will be conveyed by an extract from an important address delivered before the Bankers' Institute of London on April 18th, 1883, by Mr. Goschen, late Chancellor of the Exchequer of Great Britain. Referring to the fact that the demand for gold then recently made by Italy, Germany, and the United States amounted to £200,000,000 sterling, a demand which absorbed a sum equal to 10 years' current supply of that metal from the mines, Mr. Goschen continued:—

"I next have to ask from what annual supply of gold this extraordinary demand had to be met? Now, many of you may be aware that there has been a falling off in the annual supply of gold, and that while in 1852—the first year

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after the gold discoveries—the amount of gold produced was £36,000,000, it is now about £20,000,000 per annum. I think it may be well to give these facts in a quinquennial statement. The total production from 1852 to 1856, in those five years, was in round numbers £150,000,000, giving an annual average of £30,000,000. In the next quinquennial period from 1857 to 1861, the total production was £123,000,000, giving an annual average of £24,600,000. Between 1862 and 1866 the total amount produced was £114,000,000, and the annual average £22,750,000. Between 1867 and 1871 the total production was about £109,000,000 with an annual average of £21,753,000; and in the years between 1871 and 1875 the total production was £97,000,000 and the annual average £19,200,000. The annual average therefore fell in the years from 1871 to 1875 to £19,200,000 as compared with very nearly £30,000,000 in the years from 1852 to 1856. Thus you will observe that we have had an extraordinary and additional demand of £200,000,000 sterling coming upon an annual supply of £20,000,000 sterling. The consequence is that this extraordinary demand has practically absorbed the total supply of gold for ten years.”

Prof. H. S. Foxwell, in an able contribution to the literature of bi-metallism, which appears in the “Contemporary Review” for this month, referring to the increased demand for gold, says:—

“The immediate consequence of the German change of standard was that a new demand for gold was set up to the amount of something like £80,000,000, while some £54,000,000 worth of silver coin became available for sale.”

The demand for gold continues to increase while the supply is in effect stationary. Notwithstanding the statistical statements which appear to show that only about sixty million dollars of the annual yield of gold is employed in the arts, it is my belief that, after the bullion has been transformed into coin, an amount equal to the whole annual supply in each year is absorbed into the industries of the world, and that practically nothing of the current production is left to do the work of money. Sir Lyon Playfair, in a speech in the House of Commons, April 18th, 1890, expressed the conviction that the demand for gold for purposes outside of minting amounted to at least seventy-five per cent. of the annual production, and Mr. Giffen has expressed the belief that substantially all the current product of the mines is used in the arts. In an article entitled “A Problem of Money” in the “Nineteenth Century,” for November 1889, he says: “The amount of gold now regularly absorbed for mere non-monetary purposes ‘appears almost equal to the entire annual production.’”

In this regard I agree with Mr. Giffen. How then is the world to supply its ever-increasing demands for money, silver being demonetised and practically all the annual supplies of gold absorbed in the arts?

What is a
“standard”
of value.

It is said that there is no such thing as a double standard—that a standard must be one and cannot be two. Critics who deem themselves specially acute devote much time to proving that under the double standard only one of the metals circulates in a country at a time, the other metal going out,—so that after all, they say, it is but a single standard.

Had they extended their investigations and analysis a little farther they would have made a real, instead of an apocryphal, discovery, and would have contributed to the writers on political economy a much-needed suggestion. The error which they have supposed to exist in the word “double” really exists in the word “standard,” and, so far as accuracy of definition is concerned, vitiates alike “double standard,” “silver standard,” and “gold standard.” Those terms convey no meaning whatever that has any relation to the idea implied by “standard.” As well might it be maintained, because the rod comprising the model yardstick of Great Britain is composed of bronze, that therefore Great Britain is on the bronze standard of measure; or if that yardstick were composed of ivory, that Great Britain would be on the ivory standard; or assuming the bushel measure to consist of an iron pot of that capacity, that therefore all things sold by the bushel in that country would be measured by the “iron standard.” So far as money is concerned, a “standard” is and must be a question of quantity; because, other things being equal, it is the quantity of money that determines the value of the money unit.

If the word “standard” is, however, to be applied to the material of money, then the term “double standard” is sufficiently accurate to meet all practical requirements. Perhaps “optional standard” would be a better term, provided it were understood to refer to metallic money. “Alternating standard” would not be strictly correct, as the metals did not always alternate, but were sometimes concurrent. The gold mono-

metallists would leave us without any name for what has come to be known as the bi-metallic standard. They even declare that it is not "bi-metallic" for the same reason that it is not "double." So I presume they would object to a man being called a biped, because his method of locomotion is not a process of hopping with both feet at once, but of walking by moving the feet in alternation.

Notwithstanding that the double standard was composed of two metals, we insist that it was one standard in the same sense in which the gold advocates use the term "standard," and that, as in the case of two metals used in the compensating pendulum, they made a very much better standard than would either one of them alone have made.

Were the same enlightened care taken with reference to the money-unit as a standard of value, that is, taken with reference to the yardstick as a standard of measure, justice and equity would always be maintained. The Act of the English Parliament regulating the measure of lineal extension, reads as follows: "That the straight line or distance between the centres of the transverse lines in the two gold plugs in the bronze bar deposited in the office of the Exchequer shall be the genuine standard yard at sixty-two degrees Fahrenheit."

This act wisely takes into account the factor of variation in measuring capacity, a variation due to the contraction and expansion of the measuring instrument itself. No similar or parallel provision is made in the act relating to the sovereign, to guard against the contraction or expansion of the measuring capacity (that is to say, the purchasing power) of that instrument. Had the nice sense of justice displayed in the definition of the yardstick been emulated in the act defining the coin, and some plan devised by which the value of that instrument also could have been made steady and uniform through time, a great benefaction would have been conferred on the people of Great Britain. The nearest approach to steadiness and uniformity of value of which the automatic monetary system admits can be secured only by the full and unrestricted use of both gold and silver.

Speaking of this law Prof. Nicholson, of the University of Edinburgh, in his interesting work on "Money and Monetary Problems," very properly remarks:—

"When we compare the two definitions, we see that whilst the former refers definitely to the distance between two points, or to length, the latter refers only to the weight of a particular substance and says nothing of value. . . . Strictly speaking then it is only by accident that the sovereign can ever be a standard of value at different times and places in the same way as a yard is the standard of length."

In any proper sense in which the term "standard" should be applied to money it should imply measuring power. Money is nothing whatever but an instrumentality of measurement. The great purpose which it subserves in life is to gauge services—to measure the sacrifice of toil. The products of labour comprising articles measurable, according to their different classifications, by varying denominations of weight, length, cubical content, &c., when an exchange is desired of either of those articles for another, money serves, as it were, as a common denominator, and establishes between them a mutual relationship in exchange.

An analysis of the nature of money demonstrates that it is a function rather than a material. That function is created by law and is infinitely more important than the material, whatever it may be, on which the money function is conferred. It is the greatest function which society can confer upon matter. Its transcendent importance will be appreciated by noting that money is the only thing for which it is impossible to find a substitute. If certain articles of food, of clothing, or of ornament, rise in price, the demand for them will relax, and will be transferred to other articles of food, clothing, or ornament. But no matter how much the value of money rises, people must have it. Not only is there not now any substitute for it, but in the nature of the case there never can be. As Bishop Berkeley said, it is "a ticket entitling to power, and fitted to record and transfer this power." This is a function so imperial as to be denied to everything but money, and upon whatever material it may be conferred, the money function is the all-sufficient guaranty of the money value. The value will attach to any material upon which the insignia of the supreme authority are placed. When stamped and issued by that authority the value of each unit is determined automatically and unerringly by the universal competition of the people to obtain such units. Men must have them in order to pay debts and liquidate obligations. The fewer the number issued, therefore, population and demand remaining the same, the keener will be the competition to get them, the more property will be offered in exchange for them, and therefore the higher

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will be the value of each unit. The greater the number issued, there being no increase in population or demand, the less competition will be necessary, the more easily they will be obtained, and therefore the less the value of each unit. It is thus that supply and demand operate upon money as upon all other things.

In inverse ratio, then, to the numbers in circulation will the money unit of any country have value, population and demand remaining the same. The "standard," therefore, is a question of numbers, and is in no sense whatever a question of material.

The value of
money de-
termined by
its quantity.

Of whatever material the money may be made, the value of the dollar, franc, mark, or pound sterling, other things remaining the same, will be determined absolutely by the number of such monetary units in the circulation. This is a principle not only based on the reason of the thing, but having the support of all writers of repute on political economy.

John Locke ("Considerations," &c.) said:—

"Money, while the same quantity of it is passing up and down the kingdom in trade, is really a standing measure of the falling and rising value of other things in reference to one another, and the alteration in price is truly in them only, but if you increase or lessen the quantity of money current in traffic in any place, then the alteration of value is in the money."

Locke further said:—

"The value of money in any one country is the present quantity of the current money in that country in proportion to the present trade.

The historian, Hume, says:—

"It is not difficult to perceive that it is the total quantity of the money in circulation in any country which determines what portion of that quantity shall exchange for a certain portion of the goods or commodities of that country.

"It is the proportion between the circulating money and the commodities in the market which determines the price."

Fichte says:—

"The amount of money current in a State represents everything that is purchaseable on the surface of the State. If the quantity of purchaseable articles increases while the quantity of money remains the same, the value of the money increases in the same ratio; if the quantity of money increases, while the quantity of purchaseable articles remains the same, the value of the money decreases in the same ratio."

James Mill, in his treatise on "Political Economy," says:—

"And again, in whatever degree, therefore, the quantity of money is increased or diminished, other things remaining the same, in that same proportion the value of the whole and of every part is reciprocally diminished or increased."

John Stuart Mill ("Political Economy") says:—

"The value of money, other things being the same, *varies inversely as its quantity*; every increase of quantity lowering the value, and every diminution raising it in a ratio exactly equivalent."

And again:—

"Alterations in the cost of the production of the precious metals do not act upon the value of money, except just in proportion as they increase or diminish its quantity."

Ricardo ("Reply to Bosanquet") says:—

"The value of money in any country is *determined by the amount existing*. . . . That commodities would rise or fall in price *in proportion to the increase or diminution of money*, I assume as a fact that is incontrovertible.

Ricardo further says:—

"There can exist no depreciation in money but from excess; however debased a coinage may become, it will preserve its mint value; that is to say, it will pass in circulation for the intrinsic value of the bullion which it ought to contain, *provided it be not in too great abundance*.

William Huskisson ("The Depreciation of the Currency," 1819) says:—

"If the quantity of gold in a country whose currency consists of gold should be increased in any given proportion, the quantity of other articles and the demand for

them remaining the same, the value of any given commodity measured in the coin of that country would be increased in the same proportion."

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Sir James Graham says:—

"The value of money is in the inverse ratio of its quantity; the supply of commodities remaining the same."

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Torrens, in his work on Political Economy, says:—

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"Gold is a commodity governed, as all other commodities are governed, by the law of supply and demand. If the value of all other commodities, in relation to gold rises and falls as their quantities diminish or increase, the value of gold in relation to commodities must rise and fall as its quantity is diminished or increased."

Woloski says:—

"The sum total of the precious metals is reckoned at 50 milliards, one half gold and one half silver. If, by a stroke of the pen, they suppress one of these metals in the monetary service, they double the demand for the other metal, to the ruin of all debtors."

To show the power of this principle that (other things remaining the same) the quantity of money determines the value of the unit, Adam Smith, speaking of a paper money convertible only at the will of a Prince, says:—

"If the bank which issued this paper was careful to keep the quantity of it always somewhat below what could easily be employed in this manner, the demand for it might be such as to make it even bear a premium, or sell for somewhat more in the market than the quantity of gold and silver currency for which it was issued." ("Wealth of Nations," Vol. 1, Book II., chap. 2.)

Jevons ("Money and the Mechanism of Exchange") says:—

"There is plenty of evidence to prove that inconvertible paper money, if carefully limited in quantity, can retain its full value. Such was the case with the Bank of England notes for several years after the suspension of specie payments in 1797, and such is the case with the present notes of the Bank of France."

Prof. Émile de Laveleye says:—

"After 1848 banknotes were at a premium in France because not issued in quantity sufficient for the demands of circulation." ("La Monnaie et le Bimétallisme," page 23.)

J. R. McCulloch says:—

"It is not necessary, in order to sustain the value of such notes (paper notes) that they should be payable at all. The only thing that is required for that purpose is that they should be issued in *limited quantities*. The history of the paper money of almost every other country affords abundant proofs of the operation of this principle."

All authorities uniting in the statement that it is *quantity* that determines the value of money, the idea that gold is a better form of money than silver or a better standard than one composed of both metals is an entire delusion.

These authorities (and innumerable others could be quoted) leave no doubt that the value of the money unit in any country, other things being equal, is determined by the number of the money-units in circulation in that country, and not by the material of which they are composed. Money having no value other than purchasing power, a rise in its value means a fall in the value or price of the thing purchased.

Price is the expression in units of money of the value of units of commodities, and *e converso* it is the expression in units of commodities of the value of the unit of money. To say that wheat is a dollar a bushel not only states the value of the wheat in money but the value of money in wheat.

The relation
of money to
prices of
commodities.

If the value of all other things is measured by money, and expressed in units of money through the medium of price, it follows that the value of money can only be measured by all other things, and must be expressed in units of property and services.

Value being regulated by demand and supply (not only, as in the case cited, by the demand for and supply of wheat, but also by the demand for and supply of money), a reduction of the money volume, other things being equal, produces a fall, and an increase a rise in the general range of prices as unerringly as changes in the temperature of the atmosphere produce a fall or rise of the mercury in a thermometer. It is not claimed that the fall of prices occurs instantly upon the reduction of the money volume, nor the rise of prices instantly upon its increase. More or less time is necessary to enable the reduction or the increase, as the case may be, to make itself felt

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upon the general range of prices. When a fresh flow of water is admitted into a canal or reservoir that has for a season been dry, some portion becomes absorbed by the parched and thirsty soil before the full effects of the inflow becomes visible to the eye. So after a period of depression, a longer time than ordinary is required for an increase of the money volume to produce a visible effect on prices. A portion of the increase will become absorbed in new channels of business created by the new life and activity imparted to industry by the very fact of the increased money supply. Another portion will consist of the increased amount which prosperity will place in the pockets of the people. It is only after these results have become static conditions that any effect of the new supply of money can be seen upon general prices. While business is being adjusted to the new conditions, the increase may have the effect merely of sustaining prices—of keeping them from further fall. So, on the other hand, when prosperity has for some time been general, it takes longer for a reduction of the money volume to produce a fall of prices than under other circumstances would be the case. People are unwilling to admit that prices are falling, it being against their interest to do so. If they have property or commodities to sell they desire to sell at the best rates possible; and, rather than sell when prices are falling, will prefer to hold in the hope that times may improve. The effect, however, though not always instantaneous, is inevitable. The theory is amply supported by experience and by authority, and was not denied till the exigencies of the gold standard compelled its adherents to search long and earnestly for reasons to justify the vagaries of that so-called standard.

When business is done with credits, inasmuch as all credits are based on money, and are made with reference to money, the rule I have stated needs no qualification. Those who say that credit is a far greater factor than money in the establishment and maintenance of prices have failed to examine the subject with sufficient scrutiny. Prices existed long before credit, and at the present time exist where business is conducted with but little or no credit. They would not for a moment think of asserting that a reduction of 10 per cent. in credits would result in a reduction of 10 per cent. in general prices.

In order to justify the gold standard it is asserted that low prices are an advantage and not a disadvantage to society. But this is not an answer to any objection made by bi-metallists. It wholly evades the point at issue. The evil from which industry suffers is not low prices *per se*, but prices constantly becoming lower; not the level already at any given time attained, but the persistence of the process by which that level trends downward. To illustrate: Before the discovery of America and the exploitation of the mines of Bolivia by the Spaniards, wages in England were at 6*d.* a day. If we now assume them to be 2*s.* 6*d.*, are we to be told that it is an advantage to the working masses of Great Britain that wages shall persistently decline until they again reach 6*d.* a day? Is this the form of cheapness for which the honourable Delegate from Great Britain, Mr. Bertram Currie, expresses admiration?

In order that the view of the fall of price taken by the advocates of the gold standard may not appear to be wholly without justification, it has become the fashion to ascribe it to over-production of commodities and to improvements in methods of production.

With reference to over-production there may for short periods be a greater production of specific articles than will meet with an effective demand; that is to say, demand accompanied by capacity to buy. That, however, cannot proceed very far, owing to the loss suffered on the production. With a volume of money sufficient to arrest the fall of prices all idle men would be set at work so that there would be more ability to pay. It is in the great majority of cases the inability to pay that results in what seems to be over-production. There cannot be an over-production of wheat while large numbers of men the world over are hungering for bread; nor an over-production of clothing while they perish of cold. With all the people uninterruptedly occupied the conditions of industry would soon adjust themselves so that supply would bear a normal relation to demand. Demand would become a known instead of an unknown quantity.

All the authorities in political economy agree that over-production in the aggregate is impossible; and I shall not occupy the time of the Conference in discussing that point.

According to the painstaking computations of Mr. Sauerbeck, production increased in England between 1850 and 1870 by 2 $\frac{3}{4}$ per cent. per annum, while between 1870 and 1885 it increased by only 1 $\frac{1}{4}$ per cent. per annum. Yet the general level of prices rose during the first period 15 to 20 per cent. while it fell during the second and shorter period no less than 30 per cent.

As to improved methods of production, bi-metallists do not deny that in some departments of manufacture there have been since 1873 improvements tending to economise labour, and cheapen products; but improvements of mere detail in the manufacture of some articles, will not account for the extraordinary fall of prices since that time in almost every product of human industry in gold standard countries. The inventions which preceded 1873, were as a whole far greater in scope than those that followed, much more far-reaching in result, and more revolutionary in their effects upon industry. All the great basic improvements had been invented and incorporated into the industrial systems of all civilised countries before 1873, if we except the electric light and the telephone. We have had the steam engine, the cotton gin, and the spinning jenny, since the last century, the railroad and the steamship since the '30's; the telegraph, the mechanical reaper, the steam plough, and other agricultural labour saving devices since the forties, the sewing machine since 1854, and the Bessemer process and steel rails since 1857. If the extraordinary advances in invention and in methods of production prior to 1873 were not inconsistent with rising prices, and with a natural, normal, and gradual rise in the tide of prosperity, why should improvements of mere detail since that time have so blighting an effect upon industry and commerce? Every writer on political economy admits that the great wave of prosperity that overspread the world after 1850 was caused by the generous supplies of the precious metals resulting from the discoveries of California and Australia. Had not silver been demonetised, there can be no doubt that the gradual increase which has taken place in the production of that metal from the mines would, by supporting prices, have proved a continuing benefaction to industry. In view of the increase of population and of the rapidly augmenting business of the world, that yield has not been in the slightest degree excessive.

It is sometimes said that the difficulty is lack of confidence, and that a remedy will be found in its restoration. The real mischief, however, is not lack of confidence, but lack of legitimate grounds for confidence. It is necessary to understand in what particulars confidence has been lost, before deciding that it can be restored. Confidence has not been lost in the fruitfulness of the soil, or in the productiveness of labour or machinery. It has been lost in nothing except the possibility of maintaining at a level the general range of prices. It is upon this that prosperity must always depend. The confidence that has been lost, therefore, is confidence that capital invested in enterprises that will give employment to labour can be returned with a profit to the investors. There can be no restoration of such confidence until the fall of price is arrested.

It is probable that the debts of the world, public and private, amount to no less a sum than one hundred thousand million dollars. Every dollar of this vast sum, principal and interest, must be paid from the current and future earnings of labour. With every fall of prices due to the shrinkage of the money-volume relatively to the demand for money, a larger and larger proportion of the earnings of labour must be devoted to such payment. If, with every fall in general prices, there were effected a corresponding "scaling down" of the burden of debt, there would not be so much reason to complain of the injustice effected by a shrinkage in the money-volume. The money-lending classes would be heard loudly to protest against such a scaling down, while they endeavour to convince the world that the opposite process of "scaling up," is the only process consistent with honour and honesty.

The fall of prices must be arrested. The unit of money must no longer be permitted to increase its grasp over the products of industry. The remedy is simple. It is neither new nor untried. It is consistent with the automatic system of money, which through all the ages has obtained the assent of society, and it is the only remedy consistent with that system. By its means the creditors and income classes will be deprived of nothing to which they are justly entitled. They will simply be denied the opportunity of perpetrating a continuing wrong upon the productive masses of mankind. That remedy is bi-metallism.

What is bi-metallism?

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I quote from Sir David Barbour's work on "The Theory of Bi-metallism":—

"The contention of the bi-metallists is that it is possible to declare a fixed ratio of exchange for certain purposes between the two metals when used as money, debts being paid at the option of the debtor in coins of either metal, and that the existence of this fixed ratio for the purposes of the currency will control

and regulate the market price of the two metals so as to prevent it from varying in any material degree from the fixed legal ratio of the currency."

No one asserts that under a bi-metallic law the pressure upon the two metals would be always equal. The very purpose for which society dedicated the two metals to the money use was that their mutual oscillations of supply might correct each other. With the exception of the period when the American mines were first discovered, no simultaneous increase of both metals has occurred since the opening of the Christian era. Whenever one of the metals has been yielding in unusual quantity, the other has generally been yielding in a stationary if not declining quantity, so that the aggregate production has shown but slight variation.

The underlying idea of the double standard is that a rise in the value of money, or to state it in other terms, a fall in the general range of prices of commodities, is an evil of the utmost magnitude, against the occurrence of which society should take every possible precaution. There is no need to guard against a fall in the value of money because throughout the entire period of history not an instance can be cited in which such a fall did not prove a benefaction to mankind.

What is claimed for bi-metalism is that upon the slightest indication that one of the metals is becoming relatively scarce the pressure of demand is removed from it and brought to bear upon the other. The law of the double standard therefore operates through supply and demand, which all admit to be the only factors entering into the creation of value.

It is the enormous surplus of the metals in existence which places it within the power of the law to control their relative value. The larger this surplus becomes the more exactly and permanently can the law control them.

The stocks of the two metals taken together have been very happily likened by Professor Jevons to two reservoirs which although supplied from independent sources, are kept at a common level by means of a connecting pipe. The law is the pipe which establishes a legal relation of value between them, and which, by authorising their interchangeable use as money, maintains their value at the same level. Both being equally possessed of full legal tender power at the established ratio, no one will give more for one metal than for the other. No one will part with 101 if 100 will serve the turn. This is not mere theorising. It has been subjected to the crucial test of experience.

In 1803 France fixed by law the legal relation between gold and silver at 15 1/2 to 1. For 70 years, while that law was in operation, the two metals were held together at practically that ratio, though with a preponderance sometimes of one and sometimes of the other in circulation.

A glance at the figures of French coinage from 1803 to 1873 will exhibit in a strong light the operation of the system.

COINAGES in FRANCE from 1803 to 1873.

		Gold.	Silver.
		Francs.	Francs.
1803 to 1820	- -	865,000,000	1,091,000,000
1821 to 1847	- -	301,000,000	2,778,000,000
1848 to 1852	- -	448,000,000	543,000,000
1853 to 1856	- -	1,795,000,000	102,000,000
1857 to 1866	- -	3,516,000,000	55,000,000
1867 to 1873	- -	878,000,000	587,000,000

From these figures it will be observed that when either of the metals became relatively scarce, its place was supplied by the other. So far as the people of France were concerned this did not involve any disturbance of the relative values of the two. Whenever silver was withdrawn for shipment to countries in which silver alone was legal tender, its place was supplied in the double standard country (France) by gold; whenever gold was withdrawn from the country of the double standard for shipment to countries in which gold alone was legal tender, its place was supplied by silver.

Such slight variations as occurred in exchange were caused for the most part by the demands of single standard countries for their particular money-metal.

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The premium such as it was, was not a premium arising from any difference in France in the value of the metals, but a charge made by money brokers and dealers in foreign exchange for gathering together during the period of the predominance of one metal in the coinage a sufficient quantity of the other—the scarcer—metal to meet the demand to which I have referred. The charges of the money-dealers were undoubtedly proportioned in every instance to the urgency of the foreign demand. It is not the habit of that class of people whether in France or elsewhere to lose an opportunity of making a little money.

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After what may be described as a microscopic search through the blue books for a period of nearly thirty years from 1820 to 1847, while silver was the metal of largest coinage, the utmost premium on gold in Paris that Mr. Giffen has been able to discover is 2·1 per cent. in August 1832. This was during a period when as will be observed by reference to the table, the coinages of France were in the proportion of nine-tenths silver to one-tenth gold. But it will be noted that while there was a premium on gold it had no relation whatever to the people or the productive industries of France. Gold was wanted by single standard gold countries, such as England, where there was a money famine, and was bought up for shipment to England even before it arrived in France. This will be seen from testimony given by Mr. Rothschild before the Parliamentary Committee (of 1832) on the Bank of England Charter.

Mr. Rothschild having stated that the continental Powers, when wishing to replenish their military chests, called for gold, the following questions and answers were put and given :—

“ Question 4831. Does not that produce considerable fluctuation in the value of gold?—Answer. Not very much, because gold in general is not so much wanted on the continent as silver; silver is the regular coinage of those countries.

“ Question 4832. Do you think that the value of silver is as little subject to variation as the value of gold?”

From this question it will be seen how old in the mind of the gold mono-metallist, is the idea that silver is more variable in value than gold. What was Mr. Rothschild's answer? Said he :—

“ *Silver has no variation, because there is a coinage of silver, so that there can be no difference in silver, except at some times when it is wanted by any European Government for particular purposes.*”

In that case of course it becomes the turn of silver to go to a premium, and the premium cost nothing to the French people, being defrayed by the people of the country demanding it.

The examination continued :—

“ Question 4833. Has there been a great export of gold from France at different times for the purpose of foreign war?—Answer. Certainly; in general the gold is bought up in France before it goes from this country (England), and if there is a scarcity in France, then it is fetched from here.”

Now permit me to invite the attention of the Conference to the question that follows :—

“ Question 4834. Does the demand for gold from France produce a scarcity of money in France?—No.

Question 4835. Why is that?—Answer. Because the gold is in general in private hands; it is merchandise there.”

During the period named the premium on gold varied all the way from less than one-tenth of 1 per cent. to 2·1 per cent.

Such variations were such as might have arisen had the monetary standard of France been gold mono-metallic instead of bi-metallic. The fact that a country is on the gold standard does not secure it against differences of exchange either with foreign countries or within itself. The United States are on the gold standard, yet I have seen very material differences in the value of gold between New York and San Francisco; differences having no connexion whatever with silver, but solely arising from the temporary condition of balances at the one place or the other. If the usual or normal rate of discount at the Bank of England be 3 per cent., and an increase to 4, 5, 6, 7 or more per cent. be announced, what, in reality, is this, but an announce-

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ment of a premium of 1, 2, 3, 4 or more per cent. on gold in the very country of the gold standard?

The testimony given before the Royal Commission on Gold and Silver goes to show that gold is nearly, if not quite, 50 per cent. more valuable to-day than it was in 1873 at the time when, by what I might term acts of legislative violence, all the money work of the occidental world was imposed on it alone. This signifies that if in 1873 a man put away in a safe a thousand gold sovereigns or dollars, and permitted them to remain idle and useless to the world until the present time, he would find that with them he could to-day buy or command 50 per cent. more of the products of human labour than in 1873 he could with those same sovereigns or dollars buy or command. What, in essence and effect is this, but a premium which the gold dollar or sovereign of to-day bears over the gold dollar or sovereign of 1873,—in other words, a premium which gold at varying periods bears over itself at former periods? What a monstrous system of money for a civilised people to tolerate?

While the champions of the gold standard are shocked at a trifling agio of 2 per cent. when it arises in the operation of the double standard, and then only in connexion with the foreign exchanges they have no word of condemnation for the stupendously unjust exaction to which the domestic business of every gold-standard country is subjected by the enormous and progressive increase in the value of the so-called standard. They strain at the bi-metallic gnat, but swallow the mono-metallic camel!

The demand of the French people was a demand neither for gold nor for silver as such, but a demand for money. Each metal serving equally to exchange their commodities and pay debts, nothing further could be desired. In all the respects in which money is useful each had all the power of the other. Under such circumstances the metals should have and did have the same value, so far as concerned all the purposes of the French people.

There were no two prices current in France. There was no differentiation of prices of commodities into gold prices and silver prices. All prices for each locality were alike, and were stated in terms of the money of France, without reference to gold, silver, or anything else. Whether the money received in payment for commodities or services was gold or silver was to the recipient a matter of entire indifference.

To revert for a moment to the destructive rise in the value of gold, the case cannot be better stated than by Professor Foxwell, Professor of Political Economy at University College, London. In a most interesting monograph on the "Irregularity of Employment and Fluctuation of Prices," Professor Foxwell says:—

"Take for instance the case of a man who in 1873 borrowed 142*l.* Prices have since fallen to such an extent that 92*l.* will now buy what 142*l.* would have bought in 1873. Yet the unfortunate debtor must pay the full nominal sum borrowed; that is to say, his debt is practically increased more than 50 per cent. . . . Can a system which permits of such arbitrary revolutions in the distribution of wealth be rational or tolerable? I confess it seems to me in the highest degree barbarous and uncivilized. The very earliest economic writings we have were protests against the wrong and mischief caused by such changes."

Not alone the earliest economic writings, Mr. President and gentlemen, but also the earliest of all writings. In the dim ages of antiquity men were admonished that "False weights and measures are an abomination to the Lord." And so long as truth is immutable, they will so remain. Money is a measure in a broader sense than any other measure; it is a weight in a larger sense than any other weight. It is an embodiment in one and the same instrument, of the yardstick, the pound weight, and the bushel measure of commerce. An increase in the value of the money unit enlarges the cubical area of the bushel to the agriculturist who, for the payment of his mortgage must rely on the price per bushel received for his wheat. As the price of the bushel of wheat diminishes, the burden of the mortgage augments. To the cotton manufacturer, the iron manufacturer, and those who conduct all other forms of industry, each in his speciality, whose products may be gauged by the yardstick, the pound weight, the ton, or whatever other unit, an increase in the value of the money unit produces identical results.

That the steadiness of the legal relation of the metals from 1803 to 1873 could not be due to steadiness of their relative supplies from the mines will be obvious by noting the wide variations that occurred in their relative production during that period.

From 1803 to 1820 the average yearly yield of gold from all the mines of the world was \$9,710,500; of silver, \$36,847,500—four of silver to one of gold.

From 1821 to 1840 the average yearly yield of gold was \$11,466,000; of silver, \$21,964,000—two of silver to one of gold. From 1841 to 1860 the average yearly yield of gold was \$83,150,000; of silver, \$31,826,500—two and a half of gold to one of silver. From 1861 to 1873 the yearly average yield of gold was \$117,891,850; of silver, \$68,043,900—nearly two of gold for one of silver. Those figures show extremes of yield on both sides without variance in their relative values as established by law.

There is nothing unnatural in this. Even Mr. Giffen ("Contemporary Review," August 1879,) admitted that it was to be expected. "Doubtless," he said, "the fluctuation in any particular metal at the time when both metals were available as money would not be very great within any reasonable period; that is one of the points of special advantage for the system of bi-metallism."

Professor Hansen, of the Berlin University, said in 1868:—

"Europe, or rather the whole civilised world, is indebted to French Law for its escape from the perturbations in the relative prices of gold and silver, threatened by the enormous arrivals from Australia and California."

Referring to the operation of the same law in keeping the metals together at the time of the Californian and Australian outpourings, Cobden said:—

"That so little effect should have hitherto been produced upon the value of this precious metal [gold], especially as measured by its relation to silver, is accounted for by a reference to what is now passing in France where the gradual substitution of gold for a silver currency has during the last eight years absorbed the greater portion of the gold imported into Europe from the new mines." (Preface to translation of Chevalier's "Fall of Gold.")

On the same subject the British Royal Commission on Gold and Silver (1886) expressed itself without reserve. Part I. of the Final Report (being the portion signed by all the members of the Commission), contains a clear and unmistakable admission by the gold mono-metallists of the effect of the French law. It says:—

"Now undoubtedly the date which forms the dividing line between an epoch of approximate fixity in the relative value of gold and silver, and one of marked instability, is the year when the bi-metallic system which had previously been in force in the Latin Union ceased to be in full operation, and we are irresistibly led to the conclusion that the operation of that system, established as it was in countries the population and commerce of which were considerable, exerted a material influence upon the relative value of the two metals."

"So long as that system was in force, we think that notwithstanding the changes in the production and use of the precious metals, it kept the market price of silver approximately steady at the ratio fixed by law between them, namely, $15\frac{1}{2}$ to 1."

"Nor does it appear to us *à priori* unreasonable to suppose that the existence in the Latin Union of a bi-metallic system with a ratio of $15\frac{1}{2}$ to 1 fixed between the two metals should have been capable of keeping the market price of silver steady at approximately that ratio."

"The view that it could only affect the market price to the extent to which there was a demand for it for currency purposes in the Latin Union, or to which it was actually taken to the mints of those countries is, we think, fallacious."

"The fact that the owner of silver could in the last resort take it to those mints and have it converted into coin which would purchase commodities at the ratio of $15\frac{1}{2}$ of silver to one of gold would, in our opinion, be likely to affect the price of silver in the market generally, whoever the purchaser and for whatever country it was destined. It would enable the seller to stand out for a price approximating to the legal ratio, and would tend to keep the market steady at about that point." (Final Report, Part I., sections 192 and 193.)

The Royal Commission ascribed to the Latin Union the effect thus produced in maintaining the ratio, but it must be remembered that the Treaty creating that Union was not entered into till 1865, and that France alone for 62 years prior to that time had maintained the ratio with equal force, without reference to which of the metals showed the greater yield. Had not the law of 1803 been in operation during the '50's when the enormous stocks of gold from California and Australia found their way to Europe, that metal would have fallen, as in early times it more than once fell, to the ratio of 1 to 10. So that the law of one country alone held the metals together. To

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whatever extent gold fell in relation to commodities silver also fell. This condition prevailed until the French law was practically abrogated.

The closing of the mints of the western world against the unrestricted coinage of silver deprived that metal of the demand, that is to say, of the "market" which from time immemorial it had enjoyed. This was an effect produced wholly by legislation, and in the interest of a few privileged persons who own public and other debts. When it is proposed that by legislation, in the interest of the masses of mankind, the market be restored, the creditor and money-lending classes object. They have always treated as "natural" everything that tended to make money dearer, and did not hesitate to invoke the powerful arm of legislation to aid in increasing that tendency. On the other hand, when an attempt is made to keep money from becoming dearer—which means to keep the prices of the products of labour from falling—they denounce it as an appeal to legislation for the purpose of interfering with the operation of economic law.

A law which forbids the use of an article for a certain purpose to which for thousands of years it has been dedicated, they regard as "natural," while a law which removes the restriction and permits the article to be restored to that use, they characterise as "artificial." Deprive either gold or silver of the legal tender function and it becomes immediately relegated to the rank of a commodity, because deprived of the force which creates the demand for it. A demand for either as a commodity is a demand for but one thing. A demand for either for the purpose of bearing the money function is, in effect, a demand for all things.

As mere commodities the demand for either metal would be fitful, unstable, and as compared with the demand for money inconsequential. Reduce gold to the rank of a commodity and instantly the demand for it would become trifling in comparison with the demand for it when possessing the legal tender function in great commercial countries. Restore to it the money function, and the demand for it again becomes universal. When a commodity is selected to bear the legal tender function a demand which till then has been fluctuating, irregular and uncertain, becomes transformed into a uniform, unfluctuating, and certain demand, a demand always at a maximum, because human wants are insatiable, and it is through a demand first made upon money that all these wants are supplied.

For the money-use, considering the world's demands for money, the total stock of both metals combined is not now, and judging from the past, in all human probability never will be, other than extremely limited. Were both relegated to the commodity demand, there being already on hand a supply sufficient to meet all demands of that character for sixty years without reference to the current yield, what would be the value of either or both?

Permit me at this point to repeat my definition of value—human estimation placed upon desirable objects whose quantity is limited. For unrestricted use as money both metals lack none of those elements of value. For commodity-use they would lack one of the two conditions necessary to the existence of value, namely, limitation of quantity. Without limitation of quantity it would be in vain that they were highly esteemed. Air is more highly esteemed than gold, but because of its unlimited quantity it has no value in the economic sense. Water is more highly esteemed than gold, but where, as in Lake Superior, it is to be had in unlimited quantity, it has no value. In the Desert of Sahara, however, proportioned to the limitation of its quantity, as compared with the demand for it, water will have value.

The same legislation which by force took from silver the demand, the market, which for thousands of years in the interests of society it had enjoyed, enlarged the demand for gold without increasing the supply. From that time forth, for the first time in history, there was committed to gold exclusively a function which theretofore it had merely shared in equal part with silver, the function, namely, of measuring and exchanging all commodities, property, and services in the occidental world. To this was superadded the task of also measuring and exchanging all the silver previously used as money which had been reduced to a commodity. When therefore Germany demonetised her silver coin there was practically placed on the market a quantity of the metal sufficient to supply all demand for commodity purposes for at least ten years. This largely increased the demand for, and consequently the value of, gold. In the equation existing between money and commodities one of the factors had been wrongfully removed from the money side and added to the side of commodities. It was no fear of an excessive yield of silver that induced France to close her mints to that metal. They never would have been closed to the current production. They need not

have been closed to even the silver of Germany had economic considerations alone governed the policy of France. The reasons for her action are, however, obvious.

France took very much more gold after the discoveries of 1848 than she would need to have taken even had all the silver of Germany been sent to her mints.

With open mints for both metals the present fluctuations in value could not and would not have occurred. Instead of those fluctuations constituting an argument against bi-metallism, they clearly indicate the folly of abandoning it.

Gold and silver are equally fitted for the money use. Together they can but scantily fill the measure of the world's money needs, and they cannot fill it at all except upon the conditions that both are money of ultimate payment.

The number of persons in a country that obtain either of the metals by delving in the mines is extremely limited. The vast majority of men work for gold and silver, not in the mineral regions, but in the fields of agriculture and the various departments of industry. The debt-paying power of a country is determined by the amount of money for which the products of all industries can be exchanged. This gauge measures the value of money and the burden of debt. It is only because the money function has been conferred on gold and silver and that the debts are expressed and payable in them that it becomes so transcendently important that their production should increase with the increasing population and money demands of the world. It is because of this that the taking from either, or any portion of either, the debt-paying function without furnishing some equally well-adapted thing to perform that function in its stead was a step of most baleful import to society. If taken without full appreciation of the results that were to follow, it was a piece of delirious folly; if with full consciousness of the consequences, it was—on the part of the creditor classes—nothing less than an act of treason against the human race.

It may be said that the people of every country, being as a whole responsible for the action taken by their Governments, are themselves chargeable with any misfortunes arising therefrom. But it must be borne in mind that this question of money is a subtle one. Few of the workers of the world have had time or opportunity to investigate it. With a vast number of mankind life is a persistent and prolonged hunt for animal subsistence. Even among those who have leisure and disposition for study and reflection the great majority have tastes and aspirations that lead them into other fields of thought and remain wholly ignorant of the nature and function of money, especially of the phenomena connected with an unduly diminishing or unduly increasing volume of money. The chemical composition of gold undergoing no change, and the number of grains in the coin remaining as before, they suppose that the "standard" has not altered. So also they not unnaturally attribute great knowledge to those members of the community who make a business of hiring out money for a profit, as persons ignorant of the science of medicine ascribe great knowledge thereof to the apothecary who handles the drugs and deals out for a consideration the cordial that is to soothe pain. The high intelligence and culture of very many among the creditor classes, and the great acumen and activity of those who own or who deal in bonds, stocks, and similar securities, naturally give them great influence in their respective communities. It therefore frequently happens that those occupying positions of public confidence and trust are unconsciously affected in their views of public duty by the great weight which they attach to the opinions of those "specialists" in finance. Public officials are usually busy men, and while they may be clever, accomplished, and conscientious, it is not to be expected that their studies have enabled them to compass the entire circle of the sciences, or that it is given any man to grasp the vast body of advancing knowledge. What is certain, however, is that with questions of the importance of money, public officials owed it to those whom they served to be careful and deliberate in the adoption of any policy. Speaking of a proposition to demonetise silver, Senator Dumas, in the Senate of France, March 28th, 1878, well said:—

"Those who approach these questions for the first time decide them at once. Those who study them with care hesitate. Those who are obliged practically to decide doubt and stop, overwhelmed with the weight of the enormous responsibility."

It could not have been unknown in the early seventies that for some years the yield of gold from the mines had been declining. According to the figures of Sir Hector Hay, submitted to the Royal Commission on Gold and Silver, the product had fallen off from an average of \$150,000,000 per annum between 1852 and 1856, to about \$100,000,000 in 1870. This was a reduction of about 33 per. cent. in the course of the

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short space of twenty years. Is it not extraordinary that during such a period—with the world's money wants rapidly increasing—a determination should be reached to demonetise by legislation one of the metals which throughout all time has served the purposes of money, especially that one of them which had been of most general utility; and whose further and continued aid, owing to the rapid exhaustion of the supplies of the other, was so manifestly indispensable to save the world from a repetition of those money famines whose consequences to the human race had been more destructive than all the scourges, plagues, and epidemics of which history furnishes a record? It must be borne in mind that the discarding of one of the money metals benefitted no human being except the comparatively few who belong to the class of creditors, annuitants, and recipients of fixed incomes, while an irreparable wrong was done to the entire body of the producing masses, including not alone the toilers in the field and in the factory, but as well the chieftains of industry, the projectors, managers, superintendents, designers, contractors, merchants, and all other leading and active minds without whose genius and foresight industry, in a complicated system of sub-division, could not be successfully conducted, and large bodies of workmen kept uninterruptedly employed. That all this should have been done in the sacred name of honour and of justice, arouses the suspicion that the money-changers had again entered the temple.

The effect of a diminution in the volume of the metallic money of the world by striking down any portion of it may be illustrated by the case of an incorporated company whose capital, we will say, is represented by one hundred thousand shares. Suppose that on the basis of that number of shares sales for future delivery had been agreed upon to a very large amount, would it not be considered simple robbery on the part of those who held agreements for the delivery of such stock to procure the enactment of laws compelling a reduction of the number of the company's shares by one half, or by any other per-centage, without a corresponding reduction of the number of shares to be delivered? There can be but one answer to this question. Is a similar juggle with money—whose quantity determines its value—any the less a robbery? He who is in debt has, in the language of the stock exchange, sold money "short." It is in effect a transaction for "future delivery." In the first supposed case parties had agreed to deliver in the future that of which they were not then in possession, namely, shares of stock. In the second they had also agreed to deliver that of which they were not at the time in possession, to wit, money. The distinction between the two cases is in the thing to be delivered, not in the underlying principle.

Would an
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Would an international agreement secure a fixed relation between the metals?

Some persons entertain the idea that if silver were remonetised even by international agreement at the relation so long maintained by French law, there would be a sudden jar which would be generally felt throughout business and commercial circles. This is a wholly groundless fear, and arises from misapprehension. All the silver in the world is now coined and in full use as money. There is not in existence any stock of uncoined silver to be presented at the Mints. Hence all that could come would be from current production after supplying the demand for the arts. Last year's production was about \$180,000,000. Were even all of this coined and none used in the arts, how trifling would the amount be when divided among the fifteen hundred millions of people of the world. They took that amount of gold forty years ago, to their great advantage. Under an international agreement for free coinage, the amount of silver to be added to the world's money stock would have precisely the same effect as if the amount added were so much gold, yet no one would openly deny that the increase of the money volume by that amount of gold would be a great advantage to the world.

The population of France at the time of the enactment of the bi-metallic law was less than twenty-eight millions, not one-half the present population of the United States. The foreign trade of France in 1880, including imports and exports, amounted to but one hundred and fifty-five million dollars. If such a population, with so slight a foreign trade, were able to maintain the equivalency of relation between the metals, who can doubt that were silver remonetised by international agreement, even if but one or two of the commercial nations of Europe joined the United States, the metals could be permanently bound together on the long-established ratio?

In the United States we have had a practical illustration of the varying movements of the metals when both had unrestricted access to the Mints though at different legal valuations. Upon the organisation of our Mint in 1792, the relation between silver and gold was fixed by law at 15 to 1. This rated silver at a figure higher than the legal rate in France, which was 15-1/2. Gold accordingly left our country and went

to France, where under the law it was more highly valued. We on our side therefore had practically no gold in circulation until a change in the law was effected in 1834. The legal relation between the metals was then established by the United States at 16 to 1. This rated silver at less than the legal ratio of France, whereupon that metal instead of gold took its way to France. The coinage rate of that country being more favourable, and ours less favourable, in the first instance to gold, and in the second to silver, we were in each case deprived of the metal which by law we had valued at a rate less than that of France. We were put to no loss or inconvenience, however, because each metal was as effective as the other in all payments, and they simply exchanged places.

Who can doubt that in this matter law and fact stood toward each other in the relation of cause and effect? Did "market" value have anything to do with it? Did not the legal relation which France had established absolutely control the movements of the metals? It seems to me to be cumulative testimony to the efficacy of the law to fix and maintain the relative values of the metal.

It cannot of course be supposed that either gold or silver would leave the country for the purpose of being exchanged for money of the other metal if the legal relations of the two metals were in all countries coincident.

Suppose for illustration that there were but one country in the world—the United States. Suppose that that country should enact a law making silver a legal tender for all debts public and private with unrestricted access to the mints at the relation of $15\frac{1}{2}$ to 1. The stock of the metals now on hand being sufficient to meet all demand for the arts for a period of not less than 60 years, how is it possible that by reason of any current yield from the mines the metals could part company?

Would anybody give more for one metal than for the other? Neither metal could be driven out of the country, because upon our hypothesis there would be no other country to which it could go. It could not go to Mars or Jupiter. Also, by our hypothesis, all the demand for the arts could be supplied without affecting the total volume to any appreciable degree, the stock on hand being enormous in comparison with any one year's commodity demand. Manifestly under such conditions their values at the ratio established would be unchanging.

Now, if an international agreement should be entered into between the United States and the leading commercial nations of Europe, would not such agreement, for the purpose under consideration, make them all one country? Under such conditions I challenge any mono-metallist to explain how the metals could vary in value from the legal relation established. And at this point I may be permitted to interpose a word to say that in case the soundness of any of the statements, whether of principle or fact, which I have made or shall make before the Conference shall be disputed, it will be entirely agreeable to me to be at any time interrupted with a question or a request for explanation. The subject with which I am dealing here is one to which I have given long, and I believe careful, attention. It is my firm conviction that the principles which I have attempted to lay down are fundamentally correct, and did I not believe them to be of the utmost importance in the discussion of the great question which this honourable body has under consideration, I should not have attempted to occupy the valuable time, and possibly, to some extent, to weary the patience of honourable Delegates with so lengthy a presentation. But to resume the line of my remarks, I will merely add to the point immediately under discussion, that when a dollar of one metal will, under the law, pay as much debt as a dollar of the other metal, no man in his senses will pay more for one than for the other. Nobody would give more for either than its value as money, because at that value he could get it in the market. No one would sell it for less, because at that value he could dispose of it in the market.

The stock of the two metals in existence is already so large, compared with the amount of current production that, if both be money in the full sense, variations in the annual yield can affect the combined stock only in the most infinitesimal degree. Not only is a considerable percentage of the annual yield needed to make good the quantity absorbed in the arts, and that lost by abrasion and accident, but while the world relies upon the precious metals the increase of population and commerce will demand a corresponding increase of the stock of those metals. Without such increase from the mines the relations between money and all other things will continue to be disturbed, and the fall of prices cannot be arrested.

The experience of the world does not warrant any apprehension of an inflation by reason of excess of production of gold and silver. The greatest yield during the period following the discoveries of California and Australia was for the five years

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following 1856. During those years the average production of gold and silver combined was \$190,000,000. The proportion which the sum bore to the then existing stock of both metals was very far in excess of the proportion which the current yield bears to the present stock. Yet the effect of the increase of that period upon the prices of commodities was very gradual, and gave no jar to any form of business. Tooke, in his history of prices (vol. 6) says, that notwithstanding the increase of the metallic supplies from 1848 to 1856 there was in the latter year "no corresponding increase of general prices, nor, in the case of large groups of commodities, any increase whatever." All the authorities show that the increase of prices resulting from the enormous yields of California and Australia was distributed over a period of some seventeen years, and, in the whole, amounted to no more than between 15 and 20 per cent. Of the rise of prices after the discovery of the early American mines, Tooke says:—

"No rise of prices can be discovered until 1570, 50 years after the entry of the Spaniards into Mexico, and almost 30 years after the discovery of the Potosi silver mines. The ultimate range of prices was not reached until 1640."

And this notwithstanding the very large proportion which the new supplies bore to the previously existing stock, the authorities placing that stock at less than \$290,000,000.

The stocks of gold and silver coin now in existence being much greater than at any former period, their value could be affected only in the very slightest degree by any mining discovery likely to be made. Whatever the yield from the mines might be, it could only affect prices in the proportion which that increase would bear to the total existing stock, as modified by the demands of a constantly increasing population for a proportionately increasing volume of money.

All the facts of the situation and all the experience of history prove beyond a doubt that the general adoption by the nations of the unrestricted coinage of both gold and silver is entirely practicable, without the slightest jar or disturbance to any interest. Neither can there be a doubt that such a policy, by calling a halt to the fall of prices, would give a healthy stimulus to every department of industry and commerce, loosen the shackles of financial bondage, and set every idle man to work.

Every result, however, that could follow a general adoption would, in my belief, be equally achieved by the adoption of the system by even one of the leading commercial nations of Europe—in conjunction with the United States—especially, I may be permitted to say, if that nation were Great Britain.

The fear of
a "deluge"
of silver
from mines
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discovered.

The fear has been expressed that in case silver were remonetised, or its increased use determined on by international agreement, great floods of the metal would pour forth from new mines to deluge the business of the world. Statements and prophecies of this character have been for some time filling the columns of portion of the public press. It is possible that some of the writers of those articles believe them to have some foundation, but if so, it is because they have not taken the trouble to inform themselves on the subject of which they have written. Mining is a business of which the world in general knows little or nothing. In the nature of things it must be carried on away from busy centres. Hence a statement or prophecy that with reference to any business well understood in a community would at once be pronounced absurd, may, if related to mining, receive more or less general acceptance. These prophecies and alleged facts receive no credence from men who know anything of practical mining or who have even read attentively the history of the precious metals. The farther away one gets from the mining regions the more confidently and persistently the statements are made. The mines to which they refer are not known to experienced mining prospectors, and exist only in the imaginations of the "miners" of Lombard Street and Wall Street. We heard about them during the discussion in the Congress of the United States on the Silver Law of 1878. Since the passage of that law no important mining discovery has been made. The localities that have produced the larger proportion of the silver since mined were known and working at the time of the passage of the law. By effecting more numerous openings in those localities a greater output has been secured, but according to all physical manifestations the maximum has been attained.

Notwithstanding the increase of yield which has taken place within the past few years, those who have knowledge of the actual conditions are of the firm belief that it is but a question of a comparatively short time for the production to suffer a consider-

able decrease. Some of the reasons for that belief I submit to the candid consideration of the Conference.

In the case of the United States the great mines, those that have produced the most silver, are declining. The Comstock lode is to-day practically abandoned. Over that great field the reapers have passed, and only the gleaners are left. The small mines of even moderate fertility are showing unmistakable symptoms that they too are working out. Other small mines will doubtless be opened to take their places as labour becomes disengaged, but no properties of any magnitude are being discovered, and from the thoroughness of the searching process that has been going on for the past 20 years it is in the highest degree improbable that any mine of the first order will appear.

When the United States acquired California, Nevada, and the other territory included in the grant from Mexico, the ground covered by the cession had never been prospected for mines. The Mexicans who had inhabited the region had been pastoral in their mode of life. Those accustomed to mining had not extended their explorations so far to the north. To reach the silver region they would have had to tempt the rigours of a northern climate and brave the perils of the Sierras. When the country came into the possession of the United States, therefore, there were possibilities of discovery throughout the entire region; and the sequel showed that it embosomed great deposits of the precious metals. The situation now differs wholly from the situation then and from the situation of 20 years ago. It is extremely doubtful if to-day there remains any great new region to be discovered. Great silver regions, as a rule, cover two or three miles of territory, and usually Nature, with considerate regard for the welfare of man, labels them with an "outcrop." The districts that have yielded nine-tenths of the silver produced in the United States are districts discovered 20 years ago. For 10 years past no even moderately great district has been found. Yet during all that time keen and alert men have been active in the search. There is not a mountain so high or rugged nor a gorge so deep or inaccessible as to have missed the assault of the ubiquitous prospector. Proof is everywhere afforded by the "testimony of the rocks." Powder marks and indications of boring and blasting mark the path of this restless and enterprising wanderer. Throughout the length and breadth of the country there is not a spot presenting any natural indications of a mine—any outcroppings—that does not exhibit evidences of the drill and of the determination of the prospector. Yet nothing of any special value has been found.

According as the great mines become exhausted the business as a whole produces a less average return to capital, and it becomes more difficult for even the successful prospector to interest moneyed men in his discoveries. All who are familiar with mining know how slight on the average are the rewards and how doubtful the chances. Those who have made large fortunes in the business can be counted on the fingers of one hand. Almost all who have made any money in the mining regions have left them to engage in some occupation of less risk in other places where they and their families can enjoy more of the comforts and solaces of life. Such of them as remain discover by hard experience that it is far easier to lose a fortune than to make one, and by degrees learn how unsafe it is to touch a mining venture until it has been developed by others to a sufficient degree to make it almost a certainty that it will return to an investor at least the money put into it. They would prefer to pay more for it after some development had been effected in it than to incur the constant hazard of the other course. They understand only too well the risks of the business. Should they persist in entering new ventures with anything like their early freedom when they risked their own labour only, it would be but a question of time for them to lose everything. The man who was guided to a fortune by courage and hope finds that courage and hope unmodified by caution will take it from him. There are so many illustrations of this in the mining regions that men who have anything left learn more and more to hesitate before embarking in new enterprises. Capital, except when in the hands of the inexperienced, where it seldom finds lodgment, is rarely invested in a "prospect," and it is with great difficulty that it can be got to be invested in a mine. The journey between a prospect and a mine is a long and expensive one. This leaves the "prospecting," the finding of mines, and their development (a tedious matter requiring much trouble and time), to be done through the individual labour of men without capital. Under those circumstances it must be obvious that the work of opening new mines cannot make rapid progress.

It is extremely rare for outside capital to take the initiative in mining enterprises. A great mine must first be found, and a large amount of work expended upon its

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development by men who understand the business before they feel warranted in inviting, or could succeed in obtaining, capital from outsiders. With the exhaustion of the great fields—and they are now rapidly being exhausted—less and less outside capital will go into the business. It is easier to obtain large amounts of money for the development of what appears to be a great mine than a trifling sum for the development of a small one. In the face of the large profits which are said by those who know nothing of the subject to be realised by mine owners in the United States, is it not a little singular that capital is so slow to enter and compete for a share of these rewards? All other pursuits, when more than ordinarily profitable, are promptly and eagerly invaded by both capital and labour. Our country from the Dakotas to the Gulf, and from ocean to ocean, has well organised State and Territorial Governments in which law and order prevail, and in which capital is as safe as anywhere in the world. The best mining experts are to be had for reasonable compensation. Yet we do not find capitalists hastening to employ such men or to risk their capital in that class of enterprise. One would suppose that a business which according to the published reports have so many allurements, and so few drawbacks, would be sought with eagerness and pursued with satisfaction. Yet men of capital appear to prefer to engage in banking and similar businesses, which undoubtedly give far better and more certain returns. It is entirely safe to say that not one mining venture in a hundred, perhaps even one in a thousand, ever returns the money put into it. The fact is, that the nearer one gets to the mining regions, the more one becomes convinced that the average reward of effort and industry in mining is less than that of almost any other pursuit, while the risks are infinitely greater than those of any other. Hence the small number of persons who engage in it either as capitalists or as working miners, and hence also the difficulty with respect to any increase of their numbers. All this is well known and understood in the regions of country in which the mines are situated. It is only people who live thousands of miles from the scene of operations that are able to see so much profit and so many advantages in the business. People do not reflect that the greater proportion of the expense connected with mining is in *finding the mine*. Were this not the case capital would doubtless engage more generally in it. If prospecting were to be paid for at the rate per day charged by miners who work for a daily compensation, it would be found that for the capitalists the cost of mining would on the whole be infinitely greater than that of buying mines after they have been found.

Will there be
a flood of
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Will there be a flood of silver from mines already known to exist?

It is said that if, by remonetisation, silver should again reach a par with gold, there would be an enormous increase in the yield from mines already at work, or from mines known to exist, and whose opening and operation only await a rise in the price of bullion. Let us examine that proposition.

Is it to be supposed that, simply because the price of silver is low, any mining company will continue operating a poor mine if they can get a rich one? The fixed expenses of a mine being the same, whether the price of bullion rises or falls—for the intelligence and organisation of the miners maintain the scale of wages, no matter how low becomes the price of bullion—would mine operators be content at such a time to work low-grade ores, when, if they wished, they could work ores of high grade? If any more profitable mine were anywhere open to them, would they rest content with their present ground? And would not the low price of bullion and their own instincts of thrift be puissant forces to impel them to work in the best mines of which they had knowledge? The fact is that the lower the price of bullion becomes, the greater and more imperative becomes the inducement to the owners of mines to increase the output, in order to pay expenses and leave a profit.

If this be true, and it seems to me self-evident, it may be manifest that the greatest yield which it is within the power of man to produce with the number of people engaged in the industry, is now being produced.

As matter of fact, there are very few veins that contain less silver than 15 ounces of metal to the ton of ore. Veins usually contain either that much metal or practically nothing. Where the returns show a quantity much less than this, the work is in "tailings" and in the outer edges of small veins, from which the quantity of ore produced must in any case be small.

At an increased price there may be a few small mines that could be put to work, but they are not such as would yield much silver. They do not belong to the class of mines that could possibly produce a "flood." Nature separates by long distances her great deposits of silver. The Comstock is a long way from Leadville and the Potosi

was a much longer distance from both. Certainly when bullion is low and the profit slight, there can be no inducement to make the output small. With low-grade ores which barely pay at the prevailing price of bullion, operations could not continue unless an enormous quantity of ore were worked. So far as the owners are concerned, if a mine could be worked out in a day it is manifest that they would make much more profit than if the work were spread over a number of years. It is to their interest to employ every man who can be worked to advantage in a mine. Without reference to the price of bullion, mine owners at all times extract every ton of ore that the physical conformation of the mine will permit. True, the larger price would give a greater profit, and it might seem that in this there would be so much the more inducement miners to look for new mines. But my experience and that of all men who understand the subject from a practical point of view, is that that is not the effect. New mines are searched for by prospectors according to the method which I have already explained, and without the slightest reference to the price of bullion. In their long and weary tramp over the mountains they know nothing about the price of bullion. They are in search of a mine, and it is a fact that a *great* mine (which is the thing every prospector hopes, and indeed "expects" to find) would pay at any price that silver bullion has yet touched.

It is sometimes stated, by those who have obtained their information elsewhere than on the scene of action, that great improvements have been made in the art of mining, that new methods, radical in their character and revolutionary in their results, have been discovered, by which untold quantities of silver are to be produced from mines which have not hitherto offered sufficient prospects of profit to induce capital or labour either to operate or open them. With the exception of some improvements effected in furnaces for treating lead ores which contain some silver, the improvements in the industry of silver mining have not been of a character to make any material reduction in the expense of the work. The same class of machinery that was placed in the mines and mills of the Comstock lode in 1865 is still in use, without any material improvement. The fortunes which are alleged to be made by working over with new machinery the "tellings" or residuum from the ores already worked are purely fictitious. No one is making any fortune out of "tailings" by any form of machinery.

A consideration of prime importance in connexion with the limitation of the silver yield in the United States is the limited number of people who will consent to be miners. Few persons will leave the comforts and solaces of civilisation to lead a life of comparative isolation and discomfort. Among the ancients the Argonauts were not numerous; among the moderns they are not proportionately more so. The business is one demanding peculiar qualities, qualities not very common among men. Those who engage in it must be earnest, alert, intelligent, and ambitious; at the same time robust, hardy, enduring, self-denying, and self-reliant, and willing to put all these qualities to the test. But more, they must possess the fever of hope and the delight of anticipation. They know that the business is the merest lottery, and that the chances are more than a hundred to one against them, but each has a belief in his "star" and is willing to undergo untold hardships on the chance that he may be the man to win the prize. For that class of men the pursuit will always have sufficient charm and allurements to inspire continued effort, yet always sufficient doubt, disappointment, and loss to prevent undue increase of their numbers.

Notwithstanding the glowing reports of successes in the industry, the mining population of the United States has seen little or no increase for many years. Many men impelled by high hope would be willing for their own part to undergo hardships, but are unwilling to subject those for whose comfort and happiness they are responsible, to the inconveniences and privation inseparable from life in remote and isolated regions.

Silver mines are, without exception, found in bleak and barren hills, unfitted for agriculture or any industry other than mining. In the nature of things the camps must be temporary. Every day's work shortens by a day the life of the little society. People know that the home cannot be permanent. The vigour with which mines are operated renders certain the early dispersion of the community. At the utmost they can hold together for but a few years. By the time families become fairly established, with children growing up around them, they are forced to seek a new home. It is not agreeable for parents to know that the entire environment in which their young people are reared is certain to suffer dispersion before they reach maturity. These are considerations that with a people such as ours have surpassing weight, and taken in connexion with others, render it to my mind as certain as anything can be that the

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numbers of the miners will never bear any higher proportion to the total population than their present numbers bear to the present total population. Formerly they did not increase while silver was at a full parity with gold. Instead of their numbers now increasing in case of remonetisation of silver, they would be much more likely to diminish. The advent of prosperity in all departments of industry and commerce, which would be effected by the restoration of silver to its time-honoured function, would be extremely likely to induce men now engaged in mining to take advantage of the increased activity, leave mining, and engage in some other pursuit.

It is well known among mining men that the discovery and working of the Comstock lode, with its many mines and enormous yield, did not induce any addition to the numbers of the miners. Should the metal again reach \$1.29 an ounce (where it was when the Comstock was discovered), why should we now expect any increase of the numbers? And without an increase of the number of workers, no "flood" of the metal could possibly occur, even were a great new field to be discovered.

Statements are sometimes made regarding what is supposed to be the small cost of mining silver. In computing this cost statisticians and statesmen of the gold standard are careful to confine their calculations to the successful ventures. They ignore the fact that hundreds of millions of dollars have been expended in the construction of mills and the erection of great plant, in sinking shafts, boring and blasting tunnels, and erecting hoisting works, that have never returned to their projectors the value of one dollar. The fact is also ignored that *mining is a lottery*, in which the prizes are few and the failures many; and that as to *any* lottery, taking into account the payments of all the contributors, the grand prize costs much more than its face value.

For reasons which must be satisfactory to themselves, these gentlemen who are thus careful to give painstaking but delusive computations as to the cost of producing silver do not appear to be equally solicitous to instruct the world as to the cost of producing gold. Perhaps they fear that an inquiry in that direction might show, as in my judgment it certainly would show, that, in proportion to coinage value, the stock of gold in existence, nine-tenths of which is derived from the mere washings of alluvial sands, has cost proportionately very much less than silver.

According to Soetbeer's statistics, of the entire amount of gold and silver in existence all but a trifling per centage has been produced during the period at which the metals have occupied the relation of between 1 to 15 and 1 to 15½. Had there been any special profit or advantage in the production of silver over that of gold, would not the result be observable in the stock of gold now existing? Had it cost less, on the average, to produce silver, at the established ratio, than to produce gold, would there be more gold now in existence than silver? Would there not, on the contrary, be very much more silver than gold?

The true question involved, however, is not the labour cost of the metals, but the infinitely more important question whether, from the want of a sufficient money supply, and merely in the interest of a small class of people who lend money at interest, the dry rot of a shrivelling industry shall be permitted to fasten itself irremediably upon society and civilisation.

That which is true of the prospects of mining development in the United States is true even in a greater degree of Mexico and of Central and South America.

The condition up to 1873, while silver was at a par with gold, not having been sufficiently favourable to induce the investment of capital in such mines as may still exist unopened in those countries, it is in the last degree improbable that such investment will hereafter be made. Silver mines cannot be worked without large and extensive plant. For the transportation of machinery, railroads are necessary. Besides, ore must be carried to a smelter, or a smelter brought to the ore; and railroads cannot be built cheaply upon almost perpendicular mountain sides. The silver mines of Mexico have been worked for hundreds of years. The increased production shown there within recent years has been near the border of the United States and near the railroads that cross the line, in mines accessible to our citizens. But the area is limited; it has been thoroughly explored and offers not the slightest inducement for hope that it will ever present to the world a mine of the first order.

In the countries south of the United States, the surface of a mining property no longer bears an "outcrop." While a great outcrop does not always indicate a great mine, few great mines have been discovered that did not have a great outcrop. Thus outcrop aids enormously the work of the prospector. While it frequently proves disappointing, it encourages effort and sustains hope. The Comstock lode was discovered by the light of its outcrop. The people of the United States had then had

no experience in silver mining, yet so distinct were the indicia on the surface that the outcroppings alone yielded millions of dollars. The advantage of an outcrop therefore is not only that it guides to what may be a mine, but it can itself be worked at little cost, no machinery or hoisting plant being required to extract the metal it contains. Ores near the surface are oxydised and consequently less refractory and less difficult to treat than ores found at any considerable depth.

The mining prospector, having little if any capital, usually depends on the metal extracted from the outcrop for the means to determine whether or not he has a mine. In Mexico and South America, during the centuries since the discovery of the Continent, everything of value near the surface has been exhausted. This deprives the miner not merely of the means for carrying on his work but of the opportunity of making superficial investigation of the ground as nature left it, and so of the most important evidence upon which to base an opinion as to the chances of permanence of deposit.

The great silver yields have been those of the Potosi mines in Bolivia discovered in 1545 and long since exhausted, and the Comstock in Nevada, discovered late in the "fifties" and now, as I have said, practically exhausted. It is such discoveries as these that produce "floods." It is as certain as anything in the future can be that the world will have long to wait for a mining development similar to either of those, if indeed it is ever again to see one. But, as I have already remarked, should even such a discovery be made its yield in any one year would bear but an insignificant relation to the enormous stocks of the precious metals now in existence, and could not in any but a trifling degree affect prices of commodities.

By those not conversant with the subject, mines are supposed to be discovered by accident. Within certain limits this is true. The placers of California were discovered by mere accident, but since the time of the discovery prospectors have been out in every direction and have ransacked the entire Continent for mines. While thus searching, guided by knowledge and experience, a prospector can hardly be said to make his discoveries by "accident."

The entire Continent of America from Mount Rainier to the Cordilleras has been prospected every foot of the way by skilful, hardy, and adventurous men, possessing not merely acuteness of observation and adaptability for the work but practical experience in mining and prospecting. All who have heard the intelligent statements of such men are convinced that should any great mine now exist on the Continent of America it must be in some region hitherto untouched and untravelled by the prospector, and remote from railroad and other facilities of operation. Its development, even if discovered, would be necessarily toilsome and protracted; and no such discovery seems probable within any period in the near future. From all points of view then there is no basis in reason or experience for the expectation of a "flood" of silver, under any circumstances.

No complaint can be made of the attitude of France before this Conference. That country already possesses an ample stock of legal tender silver. With a stationary population, an absolutely steady bank-rate and only an inconsiderable trade with the East, the interest of France in the question before this Conference cannot for a moment compare with the interest of Great Britain.

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And now, Mr. President and gentlemen, I trust I shall not transcend the proprieties of the occasion if I take the liberty of inviting the special attention of the honourable Delegates from Great Britain to what I am about to say. According to statements which have received widespread publication, and which I have not seen contradicted, the fall of prices in England has been on such a scale that farms are going out of cultivation, and the landed interest is passing into the hands of mortgage companies. These circumstances serve to remind us of the statements made by an eminent historian of Great Britain, Sir Archibald Alison, to the effect that on the occasion of a former severe contraction of the money volume, on the passage by Parliament of the Bill compelling payments in gold, prices rapidly fell, cotton sinking, in the course of three months, to one-half its former level. Within six months all prices had fallen one-half, and for three years showed no indications of improvement. By reason of this contraction of the currency the industry of that great nation was congealed as is a flowing stream by the severity of an arctic winter. Bankruptcies increased in 1819 more than 50 per cent. over the number for the previous year. The owners of land, who in 1819 numbered 160,000, were, as the historian veritably informs us, reduced in seven years to the number of 30,000, and one person in every seven of the population was obliged to be supported by organised charity. The disorganisation of

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industry and the consequent compulsory idleness of workmen led to frequent conflicts between the people and the military. They also led to serious commercial crises. By the adoption of the gold standard, and the demonetisation of silver, England became the habitat of panics, as Egypt had long been of the plague and India of the cholera. But so great is the admiration for gold that not only is the advanced position of Great Britain in reference to manufactures absurdly attributed to that so-called "standard," to an inert substance, instead of to the skill of her trained and sturdy artisans, the producers of most of her wealth, but the very shortcomings of this "standard"—the commercial cyclones which, with recurring periodicity, uproot the most firmly established of England's business houses—are seriously attempted to be accounted for, even by so excellent an economist as Professor Jevons, on the theory that they are the effects of the spots on the sun.

Not only are the people of England interested in this question but the people of Ireland are interested in it. It is only lately that it has come to be seen by many to whom the Irish question has long been familiar that that question is much concerned with the monetary standard. The attention of the civilised world has recently been sharply called to the question by a clarion note sounded by the distinguished Archbishop of Dublin—Archbishop Walsh. That able and enlightened prelate presents an unanswerable arraignment of the gold standard. In an interview published in the Dublin "Freeman's Journal" of November 28th last, he said:—

"As for the Irish tenants, it is to be remembered throughout that the way they come into consideration in the matter is this: They are, many of them, placed under an obligation to pay year after year a fixed amount of money—'fixed' that is to say, in the sense that the amount is specified in pounds, shillings, and pence. Some of them have to pay this 'fixed' sum for longer or shorter terms as leaseholders. Others have to pay it for fifteen years as judicial tenants under the arrangements of the Land Act of 1881. Others, as tenant purchasers under one or the other Land Purchase Acts, have to pay it to the Government for forty-nine years. Now any such obligation may bring with it financial ruin to the unfortunate tenant who has undertaken it, if the conditions of the case are such that, notwithstanding the so-called 'fixing' of the amount to be paid each year, the payment of the amount so 'fixed' really represents a burden growing heavier and heavier from year to year. The main point here (in Ireland) is that as regards the farmer he is under the obligation of paying in rent or otherwise an amount fixed in pounds, shillings, and pence. What has really happened, then, is that the rent or other annual payment which he has to make, though it is thus specified, is gradually rising from year to year. To bring this matter to a point, then, it comes to this, that year after year more corn, more hay, more cattle, have had to be sold to enable the farmer to meet that annual payment. And plainly the longer the term for which his 'fixed' payment has to be made the more distressing must the results be to him."

It appears to me that the case could not be more clearly stated.

The relations of Great Britain to her great dependency, India, with reference to the question before the Conference, merit more than a passing word.

By the evidence given before more than one Royal Commission we are assured that the rupee will to-day in India purchase as much as it ever did in its history. What is the significance of this statement? It clearly implies that the farmer of the Punjab is now receiving more rupees for the thirty shillings which his wheat realises in London than ten years since he obtained for forty shillings. How is it possible that Europe and America can market their crops under such conditions of competition? Should the rupee fall in gold value in Great Britain to a shilling, while maintaining its full purchasing power in India, the agriculturists of England will see wheat selling in London at twenty shillings a quarter. While the so-called "fall" of silver is stimulating the exports of India at the expense of the farmers of England and of the United States, it is at the same time building up in India a destructive and merciless competition in cotton goods to China at the expense of the people of Lancashire. To show the extent of stimulus supplied to the India industries, and the effect which the present policy of Great Britain is exercising upon the industries of Lancashire, I read the following brief, but suggestive extract from a speech delivered by Mr. John A. Beith at a meeting in the Town Hall of Manchester last October. Mr. Beith on this subject said:—

"In 1874 the total exports of yarn from the Indian mills to China and Japan amounted to only 1,000,000 lbs. It was only in 1875, and when silver had fallen

3*d.* per ounce, that the 1,000,000 lbs. of exports, which it had taken Indian mills nearly 10 years to get up to, at once expanded, as if in obedience to the wave of an enchanter's wand, into 5,000,000 lbs. In 1880 there was a further fall of 5*d.* per ounce, and consequently a further advantage to the silver of India and China, as compared with England accepting only gold payments, and so, then, the five millions of exports from India became 25 millions. In 1885 another fall took place, and the 25 millions became 75 millions. In 1889 there was a further fall of 5*d.* in silver, and the 75 millions became 127 millions. In 1891 there was still a further fall, and the 127 millions of exports of yarn from India to China became 165 millions; so that in 17 years, through the operation of this cause chiefly, one million lbs. of yarn exports per annum had risen to 165 million lbs. per annum. These are very large figures, but if you look a little more into the details they become even more appalling. One hundred and sixty-five million pounds of yarn sent from Bombay to China and Japan means that India is sending six times as much as the United Kingdom sends to China and Japan, twice as much as the United Kingdom sends to India, China, and Japan together, and is indeed very fast approaching the figure of Lancashire's total exports of yarn to the whole world. If the ratio of increase continues as hitherto, the shipments from India will exceed in from three to four years the total shipments of yarn from the United Kingdom to the whole world, including India, China, and Japan. It seems to me that those figures speak eloquently for themselves."

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This statement is so clear and pointed that comment upon it would be work of supererogation.

Look at the position of the India Government. That Government is obliged by reason of its gold indebtedness to England to sell yearly for gold in London not less than 80 million ounces of silver, which it does in the form of Council Bills. The Government of India, in other words, is a seller of 50 per cent. more silver yearly on the London market than is purchased yearly by the United States. If then Great Britain be not interested in the price of silver, it would seem that she ought to be interested in the price which the Government of her great dependency receives for the silver which it sells. The interest on the enormous debt which the people of India owe to the creditor classes of Great Britain, which must be paid in gold or its equivalent, is to-day, in the products of their labour, costing the people of India 50 per cent. more than it did in 1873. Think of it, 50 per cent. more of sweat and toil to pay now a debt contracted in or prior to 1873, and the process of increase still progressing!

The creditor classes, not of Great Britain alone but of all gold-standard countries, would doubtless be somewhat unfavourably, but they would not be in the slightest degree unjustly, affected by a cessation of this wrong—by permitting the establishment of the old relations between silver and gold. The unearned increment of which they have long been in receipt not being a constant quantity is year by year becoming more and more onerous. The upward flight of gold is assuming an accelerated pace. May it not persist too far? May it not well be that, whether in India, in Egypt, in the Americas, in Australia, or elsewhere, the creditors may find, to use a homely but unmistakeable phrase, that by this process of financial strangulation they are killing the geese that have been laying the golden eggs?

Two things are necessary to be accomplished for the prosperity of the business world. First, to steady the exchanges between the Occident and Orient; and, secondly, to arrest the destructive rise in the value of gold. Of these the second is by far the more important.

The pre-
vailing evils
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remedies
proposed.

All propositions that have thus far been submitted to the Conference are, according to my conviction, wholly insufficient to meet the greater of these needs.

The honourable Delegate from Great Britain, Mr. Alfred de Rothschild, submitted a plan by which, if adopted, the nations of Europe might agree to buy annually five million pounds sterling worth of silver bullion at not more than 43 pence per ounce, purchases to cease when the gold price of the metal exceeded 43 pence, and the United States to continue the present scale of purchase of 54,000,000 ounces a year.

This plan might for a time prove something of a palliative for one of the evils to which I have referred, by contributing toward the steadying of the exchanges between the Occident and Orient. It is not, however, a palliative that is required, it is a restorative. The remedy proposed would in nowise reach the more serious—the universal evil—an evil in comparison with which unsteady exchanges, however harmful, sink into insignificance—an evil which in all gold-standard countries vitiates contracts,

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distorts justice, and destroys equity. That evil, I repeat, is the persistent rise of gold.

As the lesser is always included in the greater, the true remedy for the fluctuation in exchange is to arrest the rise of gold; to enlarge the volume of money of ultimate payment, by restoring the long established relation between gold and silver, and dividing between them the money-duty which gold alone, by reason of deficiency of quantity, is totally unable to perform. But while bi-metallists could not accept, even tentatively, the proposition of the honourable Delegate from Great Britain, they accept with cordial acknowledgment the admission from so distinguished and authoritative a source of the gravity of the present situation. Statements of similar import, proceeding from bi-metallists, have heretofore been met in the press and among leading publicists of the gold-standard school, not merely with denial but with derision. It is at least a gratification to find that although the honourable Delegate from Great Britain does not agree with some of us as to the remedy to be applied, he does not hesitate to admit that a condition of serious import in respect to the monetary situation faces the civilised nations. When people agree that there is an evil to be remedied something is already accomplished toward remedying it. But any remedy which attempts an adjustment of present difficulties without arresting the persistent appreciation of gold, or, in other words, without arresting the fall of prices, can be likened only to the attempt of a man who, while descending a shaft by means of an "elevator" should, notwithstanding the downward movement, attempt to reach the upper air by climbing a ladder in the car.

Great Britain made the first mistake in separating her monetary system from that of the rest of the world, and should be the first to acknowledge her mistake and take the lead in rectifying it. The United States made the mistake last, but were the first to endeavour to correct it by calling conferences of the nations to consider the situation.

Considering the interest which Great Britain has in the maintenance of equity and justice among her own people in respect to time contracts, and in the maintenance of a stable rate of exchange with her great dependency, it will be matter of profound regret if the statesmen of that nation, to which the world is indebted for trial by jury and parliamentary government, shall long hesitate before reviewing and reversing a decision arrived at 100 years ago, when industrial conditions were wholly different from those of to-day.

The position
of the United
States.

Judging by occasional expressions used by honourable Delegates here, and by statements found somewhat generally in the public press, there would appear to be in Europe a misapprehension with reference to the position of the United States, and the object which the Government of that country had in view in inviting the participation of the other leading Governments of the world in the Conference now assembled.

In various publications it has been intimated that the people of the United States, alarmed at alleged evils with which they are threatened owing to their own financial policy, have sent Delegates here with a view rather to improving the situation of the United States than that of the Powers invited to participate. The United States are not here, Mr. President and gentlemen of the Conference, with a view of advancing any special interest, either of men or of industries, nor are they here because they have the slightest fear, or the slightest cause to fear, their own fiscal or financial policy. They are here solely to endeavour to arouse the civilised nations and Governments of the world to a sense of the enormity of the evils that universally exist, and to aid in suggesting a remedy.

The United States desire to see established for the world a monetary standard that shall approach a standard of justice. The United States deem the prosperity of every country to depend on the degree with which all its people can be kept uninterruptedly employed; that this transcendently important end cannot be attained except through the instrumentality of time-contracts, involving deferred payments extending over a series of years; that such contracts are based absolutely on the value or purchasing power of money prevailing at the time the contracts are entered into, and that any increase in such value arising from a deficiency of the supply of money does injustice to one of the contracting parties. That the injustice thus effected through the furtive, subtle, and clandestine increase in the value of money bears with crushing force upon the employers of labour, whose painstaking estimates prove unavailing. That this thwarting of all business foresight leads to losses which compel the suspending of looms and the damping down of furnace fires, and that thus results the greatest misfortune that can overtake society, namely, the relegation to idleness of large masses of willing workers.

The people of the United States further believe that owing to the constantly increasing purchasing power of money all lenders of money at interest, holders of bonds and mortgages, and persons drawing fixed incomes from long leases or otherwise, are in receipt of an unjust and unearned increment of money, an increment not in the contemplation of the parties to the transaction at the time of making the loan or lease. That inasmuch as the element of borrowed money now enters to a greater or less degree into all business enterprises, this unjust and unearned increment received by the lender of money is a constantly increasing tax upon the working bees of society for the benefit of the drones, and, contrary to the enlightened spirit of the age, tends to the institution and perpetuation in the western world of a new form of serfdom or slavery of which the producing masses of the white race are to be the victims.

It has been said in various public prints that in so far as a demand is heard in the United States for the remonetisation of silver, such demand arises solely from the inhabitants of States in which the industry of silver mining is conducted. Judging from the articles to be read even in influential European journals, one would be led to suppose that these so-called "silver States" were not only numerous but teeming with population whose voting strength exceeded that of the population of all the other States. Not only so, but the influence in Congress of the persons who represent those silver States is said to be so great as to distort the judgment and control the will of a majority of the members of the legislative body.

These are all vain and empty illusions. The people of the so-called "silver" States constitute but a very small fraction of the population of the country, and out of a total of 444 persons constituting both Houses of Congress the number of those who represent so-called silver States do not exceed ten.

In pursuing the course that it has pursued with reference to silver the Government of the United States has not been actuated by a desire to placate silver-miners, or to advance the price of silver bullion, but by a desire to have a volume of money sufficient for the performance of the work which its people have to do.

What is that work?

I may be permitted to cite a few figures to show the progress made by the United States, which will convey some idea of the power of the population of that country to absorb and utilise money.

In 1880 there were 73 establishments for the manufacture of steel. By 1890 this number had been more than doubled, reaching 158. The output of ingots in 1880 was 1,145,711 tons; by 1890 this output had been more than quadrupled, the figures for that year being 4,466,926 tons.

The output of pig-iron in 1880 was 3,781,021 tons; by 1890 this quantity had been almost trebled, the output then being 10,307,028 tons.

The advance in one year in the iron and steel industries was as follows:—

	1889.	1890.
Pig iron - - - -	3,781,021	10,307,028
Rolled iron - - - -	2,586,385	2,820,377
Bessemer steel ingots - - - -	3,281,829	4,466,926
Bessemer steel rails - - - -	1,601,264	2,091,978

The advance in agriculture in one year may be gathered from the following. In 1890 our wheat crop was 400,000,000 bushels; in 1891 it had increased to 612,000,000 bushels. In 1890 the oat crop was 523,000,000 bushels; in 1891 it had increased to 736,000,000 bushels. In 1890 our crop of corn (maize) was 1,500,000,000 bushels; in 1891 it was 2,300,000,000 bushels.

The development of the railroad system of the United States is no less wonderful than the manufacturing progress. In 1880 we had 84,393 miles, which by 1892 had more than doubled, reaching 171,000 miles. The railroads of all Europe comprise 136,000 miles, so that with a population of 65 millions our country has a railroad mileage greater by 25 per cent. than all the countries of Europe combined, with their vast population of three hundred and sixty millions.

Railroads and steamships are no more essential to the physical distribution of wealth than money is to its proprietary distribution.

It would be superfluous for me to comment on the degree of progress shown by the figures I have quoted. They tell their own story. They will not appear to be any the less worthy of the serious consideration of the Conference when it is borne in mind

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that the financial policy of the Republic has here been likened to the work of Sisyphus, whose hopeless task it was to attempt to roll a stone to the top of a mountain, while the stone at each remove rolled back as far as it had advanced. It strikes me, Mr. President and gentlemen, that a financial policy which admits of such marvellous material development as I have indicated should invite rather the admiration than the unfavourable criticism of other nations, and might even to advantage be emulated by them. It occurs to me to inquire whether this progress, accompanied and aided as it has been by full legal tender silver money, either in the form of coin or of paper representatives, does not constitute an object lesson to be thoroughly studied rather than rejected? If this be the work of Sisyphus, I can only say that he is very rapidly getting the stone to the top of the mountain. If, on the other hand, we look at the financial policies of other gold standard countries, countries in which silver money, as full legal tender, is rejected, do we not find a far better parallel to the labours of Sisyphus in the hopeless struggle of the masses of the people to roll the stone of debt, whose weight is ever increasing, to the top of the mountain, where they might enjoy rest from their labours?

When a demand is made by the over-burdened debtors of the world that a halt shall be called in the process by which the burden of debt is constantly increasing to the unjust advantage of creditors, the disorganisation of industry, and the relegation to idleness of great masses of willing workers, what do the creditors reply? That to add to the money volume of the world by remonetising silver, to restore the old relations that for thousands of years existed between gold and silver, would be an advantage to silver miners. Why, Mr. President and gentlemen, money is an instrument for the fulfilment of the most beneficent function that can be fulfilled for society by any material thing whatsoever. It is absolutely essential that it shall be fulfilled by some material. As well might a deaf man refuse to use an instrument that would enable him to hear, because the seller of the instrument would derive a profit from its sale, as for men to refuse to use silver as money of ultimate payment, because some miners might derive an advantage from producing the metal. As well might the world decline to use steam engines, Westinghouse breaks, telegraphs, telephones, or electric lights, because the use would be a pecuniary advantage to companies controlling them, as to deny itself the inestimable boon of a sufficient money-volume, because miners would derive an advantage from the production of silver. In the case of the inventions to which I have referred, the companies controlling them would undoubtedly derive an advantage from their use by society, but would not society derive an infinitely greater advantage? Is the march of progress to be thus arrested by the refusal of society to adopt devices which facilitate processes? Are men warranted in rejecting the benefactions of nature any more than of science or art?

When a supreme need of society is to be supplied are the people to be told, because the installation of justice would bring pecuniary advantage to a small class of hard toilers in mines, or to those who hazard their all upon the chances of mining, that therefore there is to be no redress of the evils from which society is suffering? Regarding money as an instrumentality in the performance of a great society duty, is it not a greater instrumentality than any other known to civilisation? What instrument, what machine, what invention, can approach it in power or in utility of function? Is there any invention which the skill of man has devised that could not be spared better than money? No invention that ever blessed mankind has been so great a benefaction; but in order that its function shall be efficiently performed it must exist in a quantity sufficient to meet the demand for it.

The policy which the United States have pursued has been pursued in the interest of the producing masses throughout the entire extent of the country, and not in the interest of any one class. While, owing to the ruinous rise of gold, we have been unable to prevent a serious and continued fall in the prices of such commodities as are internationally dealt in, we have been able, by the aid of silver money, to sustain at a level more nearly consistent with justice, the prices of commodities that form the subject of our domestic business. The products that have not had an export have maintained their position better, and fallen less than those of international trade, such as wheat and cotton. Recent investigations undertaken by the Government of the United States into the prices of commodities demonstrate beyond question that the falling process has not yet been arrested, a conclusive proof that, notwithstanding the annual additions to our money, either in silver or its paper representatives, there has been no inflation of the circulating medium of the country. All that has been issued has been required for the proper performance of the duty which money should perform in a rapidly developing community.

It is said that the United States have failed to maintain the value of silver. The fact is that the value of silver has been maintained, and by the aid of the United States. In all countries in which silver is legal tender—and those are the countries that test its value—it has the same value to-day that it had when it had unrestricted access to the mints. As I have shown, its purchasing power, its control over commodities, has not declined. While we have not maintained silver at a parity with gold, we have done what is more important, maintained it at a parity with the products of industry, and with the principles of justice and fair dealing. It is more important for a people that their money, whatever it may be, shall maintain a steady relation to the food they eat and the clothes they wear than that it shall maintain relation with gold or with any other thing that may be named.

If there is a distance between gold and silver there is the same distance between gold and justice—between gold and the products of human labour. Whatever the distance may be it is gold, not silver, that is responsible for it.

The marvellous material development which I have noted could not have been accomplished without an increasing volume of money, and under the automatic system the volume could not be increased without the aid of silver. Had the United States entered upon a contest for gold with the other gold standard countries, the fall of prices of all commodities would have been greater, more destructive, and more lamentable than at present. The people of the United States, while they could avail themselves of silver money, saw no reason for entering upon a contest in which nobody could really win, and one in which, whatever degree of success might be attained, would leave the so-called “winner” more exhausted than the “loser.” Instead of increasing the demand for gold, the United States have gradually added to their currency a considerable amount of silver, which has prevented gold from advancing in a proportion more ruinous than that we now see. It is the earnest wish of the United States to bring silver into use, and to make it share with gold the burden of maintaining prices at a substantially unvarying range, so that equity and justice may not be outraged to satisfy the greed of creditors. No matter what the financial policies of other countries may at any time be, the people of the United States have confidence that they will be able to amply guard their own interests. They fully understand that a just system of money, a circulating medium increasing to correspond with population and demand, is the most powerful agent for the production of wealth and its just distribution, and that, on the contrary, a vicious system, a system of which the volume either diminishes or remains stationary, while population and demand increase, is the most potent instrumentality for the diminution and concentration of wealth, and for the creation and distribution of poverty.

A careful reading of the history of all countries will demonstrate that as the production of the precious metals and their utilisation as money has declined, stagnation of industry has resulted; the forces of society in a proportionate degree collapsed, and poverty, vice, and crime extended, with corresponding increase in the number of inmates of jails, almshouses, foundling hospitals, and lunatic asylums. When on the contrary an increase has taken place in the production of those metals, and a corresponding increase in the volume of the world's money, society has made extraordinary strides industrially, socially, morally, and intellectually.

The clear sighted historian of the future who will give due weight to each of the many forces that sway the destinies of nations will realise how enormously important in the progress and advancement of a people is the possession of a money supply that keeps pace with demand. Give him but a history of money, clear, complete, and impartial, especially an account of the variations from time to time in its quantity, the regulator of its value, and he will write with unerring hand the mutations of national life, the rise, progress, and decay of kingdoms, empires, and states. A knowledge of the history of those metals will afford a clearer insight into the causes which decide the destinies of peoples than all the fine-spun theories of political intrigue ever conjured up by superficial thinkers and writers. Even political freedom is without effect if communities be financially enslaved. In the presence of gaunt hunger and benumbing cold, of what avail is universal suffrage?

It is not alone material progress that is aided by a happy adjustment of the money volume to the increasing demands of population. As language is a distributor of ideas, the product of thought, so money is a distributor of property, the product of labour. For its fullest development language depends upon the principle of association among men; it could not be developed in isolation. Money is the medium which, above all others, facilitates the gathering of men into aggregations. It is the great instrument of association, without which civilisation, as we know it, could not exist.

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As the development of language increases man's power over ideas and enables him, as with a magician's wand, to draw, from the impalpable world of thought, secrets that language alone in ever increasing subtlety and efficiency could conjure forth, so money that increases in quantity with the needs and development of a people will enable them, in their progress towards a higher civilisation, to evoke from the material world secrets of progress and achievement revealed only to those who have the intelligence, the aspiration, and the instrumentality to call them forth. In the work of subordinating nature, a work which it is the destiny of man to pursue and perfect, no agency is so powerful as a money-volume increasing in proportion to demand.

With the progress of time, the march of invention, the development and expansion of the arts, the more minute division of labour, and the consequent advance of civilisation, it will become increasingly difficult to keep large masses of industrial workers continuously employed, except by a constantly growing resort to the time-contract.

It is therefore daily becoming more and more important that the money of the world should be what Mr. A. J. Balfour, in his recent Manchester speech, very correctly said it should be, namely, "a fair and permanent record of obligations over long periods of time."

All the arguments advanced on behalf of the gold standard are built on Prophecy; those on behalf of the double standard on Achievement. The advocates of the gold standard rely on what they think or suppose may happen; those of the double standard rely on the *facts of history*.

Now, Mr. President, I merely desire in conclusion to say that I am one of those who believe that injustice harms not alone the victim but the victimiser. There is a moral constitution of the universe with which ultimately all things must square, and no matter how panoplied in privilege or power may be he who commits wrong, he will find that in its own time the wrong will return to plague its perpetrator. There is no safer rule for men than to do as they would be done by. It is to the interest of the creditors and income classes, as of others, to mete out even-handed justice to those with whom they deal. The history of nations is full of the warning that financial struggles lead to social struggles, sometimes to riot, desolation, and ruin. The accumulations of a lifetime—even of generations—may be swept away in a day. Those who have been wronged, the debtors and productive classes, ask no redress for the past. They have thus far, without complaint, tolerated the exactions, because they did not clearly perceive the cause of them. They are now awakening to the extent and magnitude of the evil, and to the source from which it emanates. They demand, not restitution, but reform; to this they are entitled, and sooner or later this they must receive. Time, the great arbiter, renders all decisions on the side of right. Governments alone can undo the mischiefs that Governments have done. Whatever may be the result of this Conference, we may rest assured that, ultimately, despite the craft of the cunning and the wiles of the wicked, the great producing masses of the civilised world will crystallise into law their imperial will.

Mr. Allard.

MR. ALPHONSE ALLARD (*Delegate of Belgium and Delegate of Turkey*), spoke as follows:—

GENTLEMEN:

After the remarkable speech which you have just heard little remains to be said. What Mr. Jones has just delivered is not a speech, it is a treatise on the subject; is it not only a monetary treatise, it is a study of social economy.

At the Fourth Session, when I had the honour to speak upon the project of Mr. de Rothschild, I committed the little imprudence of trespassing upon bi-metallism, which was not, as now, the order of the day. You pardoned me, you kindly listened to me, and I thank you.

After Mr. Jones I hesitate to take up the debate. I would simply come back to a point to which I have already had the honour to call your attention, and which to me appears more clearly and more luminously than ever after the exposition of the honourable Delegate of the United States; it seems to me more certain than ever that the solution which we seek should come to us from England.

The knot is not here, nor is it at Washington, nor in India. It appears to me to be at London.

I have shown you, gentlemen, how the anxiety of England increases from year to year, and you have seen her each year more uneasy as to the situation of affairs.

I showed you—Mr. Jones has recalled it—how Mr. Goschen called attention at London in 1883 to the fall of prices and to the rise of gold which was already visible.

In 1885 Mr. Goschen went to Manchester to give warning of the same danger.

In 1886 it was not Mr. Goschen but the English Government which was concerned at the slackening of trade, and which appointed the well-known Commission on the Depression of Trade.

The following year, in 1887, Mr. Goschen again went to Manchester. He said to the manufacturers, "Take care! Gold is increasing in value, prices are falling, and a crisis menaces us."

In 1888 the English Government, becoming more and more concerned, appointed the Gold and Silver Commission.

In 1889 Mr. Goschen who had become Chancellor of the Exchequer, ever more and more uneasy in regard to the appreciation of gold, proposed the establishment of one-pound notes: the number of pounds in circulation was insufficient.

In 1890, bi-metallism was brought before the English Parliament, and one third of the members voted for it.

In 1891 apprehensions increased. Mr. Goschen returned to the charge; he published a pamphlet; he spoke of the insufficiency of gold as a permanent danger for England.

This constant and repeated uneasiness demonstrates manifestly the existence of a profound malady in England whose nature is known and for which it is high time to find a remedy.

I said to you in our Fourth Session that the English farmers might not perhaps be of the opinion of Mr. de Rothschild and might perhaps be infinitely less satisfied than he with the fall of prices. At the very moment when I spoke, as I have since learned, an imposing demonstration under the auspices of Mr. Henry Chaplin, ex-Minister of Agriculture, took place at London and brought together all the agriculturalists of England. You have read in the papers the alarming signs of which they complained to the Government, and you have observed the energy with which they accused the monetary question of being in large part the source of their evils.

Monsignor Walsh, Archbishop of Dublin, himself concerned at the grave and disastrous results of the fall of prices for the Irish, has just taken the lead of a movement in England, whose importance cannot be overlooked. He demands from the English Government a prompt amelioration of the monetary situation.

I have shown you further, gentlemen, how the Bank of England, under menace of danger, received aid from the Bank of France.

I have shown you that the real evil followed, not from the fall of silver, but from the appreciation of gold. Have you not heard from the Delegates of Mexico that in theirs, a producing country, where the circulation consists solely of silver, and where if that metal had been depreciated it would have been felt soonest of all, the imaginary depreciation had never existed. Silver, they tell us, still buys in Mexico the same quantities as before. It seems to me, therefore, obvious that it is the operation of the appreciation of gold which makes us believe in the depreciation of silver.

I have shown you the Latin Union with its limping bi-metallism going to the aid of mono-metallic England.

I have shown you mono-metallism compromising England, and bi-metallism, even though limping, still protecting the Latin States. Those are facts, not theories, and it seemed to me that there was nothing to reply. But I erred. What do my opponents say? Do they say the facts are inexact? No, they cannot deny them. Do they dispute the conclusions which we draw from them? They are self-evident.

But what do they reply, I ask? Nothing; it is far easier. You have heard, as I have heard, gentlemen, that they are satisfied to say to us very simply, "Crises? No, there is no crisis. Embarrassment? A mistake, there is no embarrassment."

You have heard our very courteous colleague, Mr. Currie, tell us there is absolutely no embarrassment. You have heard my excellent colleague and friend, Mr. Weber, satisfied to tell us that "bi-metallism is bad, the situation of the Latin Union is unenviable, and as to the remonetisation of silver, it is impossible."

"Why?" we ask. "But," they reply, "do you not see that that would make silver mining profitable?"

And what if it did?

But as to that, gentlemen, should we freeze in winter to prevent coal-owners becoming rich?

It does not seem to me that this is a good reason or a solid argument to present to so august an assembly.

Singular obstinacy! In our discussions we have all the trouble in the world to obtain from our opponents serious arguments. It is true that they have only very few. And further, mono-metallism is so recently established in Europe, that for fear that it

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should be dislodged, it is barricaded at London, at Stockholm, at Brussels, at Berlin, and elsewhere, and its friends are content to defend the citadel. We bi-metallists are compelled to lead the assault. Thus you see the calm of the mono-metallists and the "juvenile ardour," which animates the bi-metallists, to the astonishment of Mr. Cramer-Frey.

When our honourable colleague from England, Sir William Houldsworth, presented to Mr. Goschen at Manchester an imposing delegation of cotton-spinners, who demanded the abolition of mono-metallism, the Chancellor of the Exchequer said to them that it was really a singular thing that the mono-metallists had always forgotten to say why they were mono-metallists and what advantages they hoped from it.

What did we see here last Tuesday? Much the same thing. Sir Guilford Molesworth, Messrs. Boissevain, van den Berg, and Jones launched together into the most complete and most magnificent debate, of which Monetary Conferences hold record, and Mr. Hans Forssell, our eminent colleague from Sweden, rose and pronounced a discourse which was very learned, very dogmatic, very correct, to all appearance, but on which I have only one criticism to make—I have taken the liberty of saying it already to our honourable colleague—that it seemed a half century behindhand.

He reproduced very exactly the arguments which Michel Chevalier urged 42 years ago, in 1850, when he demanded the demonetisation of gold; for I would have you observe that whether we demonetise silver or demonetise gold, it makes little difference to the theory; it is six of one and half a dozen of the other, and the arguments good for the one are good for the other. Mr. Forssell went so far as to speak of the probabilities of a fall of silver, just as Michel Chevalier spoke in 1859 of the fall of gold.

Very well, I believe that the probability of a fall of gold, which Michel Chevalier foresaw, is exactly similar to the probability of a fall in silver with which Mr. Forssell threatens us to-day.

As to the fall of silver, there is none, except that which we have created ourselves in Europe, where silver is valued in gold. We have seen that there is no fall of silver except that which we ourselves bring about in measuring it with gold, which is scarce. We are like children who make a shadow on the wall and are as alarmed at it as if were real. I think that if we had been more reasonable, and if instead of demonetising silver in 1873 we had opposed that measure as we opposed the demonetisation of gold in 1850, the shadow which we have created would never have existed, and we should still be in that era of prosperity which we regret to-day.

Mr. Forssell was careful not to tell us why gold was not demonetised in 1850. He took very good care not to mention it. He should have recalled the past, but he preferred to forget it.

At that time California yielded gold to a value greater than that of the white metal furnished to-day by the mines.

Why was it not demonetised? This is the reason. The average prices of all articles had fallen 49 per. cent.; and that fall had led to revolutions in the whole world. We had just left 1848 behind us. We had had enough of falling prices. We wanted to find gold. We needed more money for the growing affairs of the world. We found it and we wisely refused to demonetise gold; and all of us here present remember the prosperous era which followed.

Mr. Forssell forgot to speak of all that. That would have been an excellent argument in our favour,—an argument the indisputable force of which I fear he did not mistake.

How could it be admitted that the demonetisation of silver was a good thing in 1873, if it be proved that a great error would have been committed in demonetising gold in 1851?

How can we share the opinion of Mr. Forssell that silver should be considered finally outlawed, when Michel Chevalier was wrong in 1851, and when experience has proved that the happiness of humanity was due to the fact that people did not listen to him.

The theories of Michel Chevalier, of Mr. Forssell, and of all the mono-metallists proceed from an error which consists in considering money as merchandise, and in reasoning as if it were wealth.

Money has never been either wealth or merchandise. Money is the contrary of merchandise, it serves to pay for merchandise; and the quantity of money which is given in exchange is the *price* and not a *merchandise*.

Neither is money wealth. If society could dispense with money, it would be very fortunate.

Money is only a broker, a sort of intermediary between the desires of mankind and the wealth of this world.

It is the blood which circulates in the veins of our social body and which brings it health, wealth, and life.

Adam Smith said that the gold and silver circulating in a country could be compared to a highway which helps products to circulate and to be brought to market, but produces nothing itself.

He said truly. We should judge money by its utility whatever its nature. Whether the road be of sand or of earth, whether it be yellow or brown, is of little importance, if it be broad and easily accessible; whether money be white or yellow, provided it be abundant, is wholly indifferent to us.

Money has none of the characters of a commodity. It circulates by virtue of legal enactment. Do we discuss its price? Do we buy it? Do we sell it? What kind of commodity is this? It does not exist. Money is not a commodity, but a tool or an instrument.

Money is not an object of consumption. The commodities which we consume to satisfy our needs and desires are the only true wealth; they owe their origin to the earth.

Well, gentlemen, let us examine now the prices of commodities.

What is price? It is the quantity of money given in exchange.

The average price of commodities in the world seems to me quite comparable to the scales with two scale-pans which we see in shops. On one pan commodities, all things which are exchanged, are weighed; the more we put on, the more it sinks, and the more prices fall. Upon the other pan are heaped the gold and silver which the mines have produced since the beginning of the world. In the course of time an equilibrium was established. It was marked by a tongue indicating the average value. In 1873 the original idea was started of going to the pan which contained the metal, and, what had never been done before, of taking away the silver on the ground that it was not wanted. Immediately the pan was lightened by half of its load, and it rose. But on the other side the pan which contained all the commodities fell. The result was normal and elementary, and it was foreseen that prices ought to fall. Well, gentlemen, to re-establish the equilibrium there are only two means. Either replace silver on the monetary pan from which it was taken in 1873, or lighten the commodity pan to balance it with the proportion and quantity of money on the other side; that is to say, diminish exchanges, diminish commerce, injure agriculture, restrict industry in proportion to the metal which you took away in 1873, or else re-establish silver in its former functions.

That is the simple remedy which bi-metallists demand; their opponents prefer the fall of prices, and its disastrous consequences.

To render money more scarce or more abundant is to make all prices rise or fall. An increase of money, as in 1850, corresponds to the growth, the progress, and the life of society; monetary contraction will always lead to anæmia, sickness, and crisis.

If you diminish the quantity of blood in the human body will it not bring about anæmia? Diminish the amount of money in the social body, and that diminution will bring about a crisis.

What we demand is that the blood taken from us twenty years ago be given back. History proves that we are right. When America was discovered in 1500 all prices rose in Europe in the exact measure of the quantity of money which arrived from the New World.

A chicken worth four sous in 1500 was worth fifteen in 1600. Forty-eight years after the discovery of America rents in England had risen 400 per cent. The immense discoveries acted upon this growing society with a power which the same discoveries would not exercise in our days. In 1548 Bishop Latimer, at the Court of Edward the Sixth, claimed that the landlords ground down the farmers. It was then, as to-day, the subtle action of money which disturbed social relations in England. Europe has recently contracted its circulation; prices have fallen just as they rose in the 16th century.

What did we see from 1851 to 1873? That is modern history, familiar to everybody. Prices increased 15 per cent. You may see it in my graphical diagrams. California and Australia poured out their floods of gold upon our civilisation.

It would be difficult without doubt to estimate the immense benefit which resulted for all the nations of the universe, the chief of which are here represented; but I can give you a point of comparison.

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In France, land, which was valued on the average at 1,292 francs the hectare in 1851, rose to 2,000 francs in 1874. According to the statistics of Mr. Alfred Neymarek, the total value of cultivated land in France increased from 67,000 millions of francs to 120,000 millions, a rise of 53,000 millions in 23 years in France alone. I leave you to calculate the benefits which, following the same proportion, the whole world must have gained. According to Mulhall there was four times as much business done in 1880 as in 1850; that was the glory and climax of the commercial, industrial, and agricultural world.

It was too good. It could not last for ever. "Peoples, like individuals, enjoy dangers," says Joubert; "when they are lacking, they create them."

That is what they did in 1873; they demonetised silver and the danger was born.

Gold became rare, as was natural, as was certain, and as had been predicted. The duty was put upon it of replacing silver.

Mr. Currie and Mr. Weber, our honourable colleagues, will not agree. We have white grapes and red grapes for making wine. If we discarded the white, would not the red grapes certainly rise in value? We eat beef and mutton. Can it be admitted that if beef were prohibited the price of mutton would not rise?

It was for the same reason that gold appreciated, that it bought more and more commodities, and prices fell in consequence. This is a great revolution in which all take part and which rages in England more than anywhere else.

The only object with which a man works is that he may sell his products for more than they cost.

When a fall of prices takes place in the interval, *personal interest* ceases to act, and what Bastiat called so aptly *the mainspring of humanity* ceases to operate.

Hence the crisis under which industry suffers, and the alarming figures, published by Mr. Giffen for the Board of Trade, which note from 1886 a growing depression in England.

Hence the contraction of English industry, the closing of workshops, and labour crises.

But why, one asks, was silver demonetised? The story would be amusing if it had not had such fatal consequences. Gold and silver had been in circulation for more than 200 years in a legal proportion of 15½ of silver to 1 of gold, and that legal proportion had given rise to a scandal; there were variations of value between the two metals.

During 200 years variations were noted from a maximum of 15·92 to a minimum of 14·14; that is, a deviation of as much as 1·8. It was horrible! It was necessary to stop at once such an abuse. How was it done? Silver was deprived of the right of conversion into coin.

The variations went from a maximum of 24 to a minimum of 15·92; that is a variation of eight points, or more than four times as much as what was formally complained of. The means employed recall the famous Gribouille, who threw himself into the water to avoid being wetted by the rain.

But we are told that if prices have fallen it is due to over-production. Mr. Cramer-Frey has told us. "Prices fall; that is very simple, it is because we produce too much." The honourable Delegate from Switzerland is astonished that with "juvenile ardour" I rise up against that claim.

If I should join him in telling you gravely that for twenty years all mankind had been so obstinate as to produce more than they could consume, that for twenty years the universe has produced things for which it has no need, that would not seem serious to you; and you would be right. That is, however, the paradoxical character of the singular theory of over-production by which our opponents would prove that our *privations* result from an *excess of production* and that *labour engenders poverty*.

I think it would be better to say no more of it, since facts within our knowledge make a formal denial of that claim. The shops are everywhere empty, business suffers on all sides and the commercial world is invaded, as all admit, by an anæmic influence which threatens death.

The statistics of Mr. Sauerbeck have clearly proved that the allegation of over-production as a cause of falling prices is absolutely false.

From 1860 to 1873 the total production of the world increased 2½ per cent. annually. That was the age of California and bi-metallism. Prices rose 40 per cent.

From 1873 to 1885 the production of the world increased yearly only 1½ per cent., a decrease of nearly one half. Prices should have increased; but on the contrary they fell 32 per cent.

This is the demonstration of Mr. Cramer-Frey's mistake in continuing to believe in over-production which was disproved long ago.

The truth, gentlemen, was told by Mr. Goschen in England in 1883. "The fall of prices comes from the rise of gold." He expressed his thought in these typical phrases:—"Fortunate are they who own sovereigns; and unfortunate they who own commodities, products, and other goods."

Who are the fortunate ones of whom Mr. Goschen speaks?

The classes who receive fixed incomes in gold; owners of bonds of States, of provinces, and of cities, and of long-term leases.

And who are the unfortunates? The producers, the workers, and, in the first rank, the farmers. Fixed incomes increase, products fall, and the annuitants are enriched at the expense of labour. This is the truth, and thence arise, gentlemen, those conflicts of labour and capital in England and elsewhere, struggles against a flagrant injustice which has been brought about between so many people; and this is a serious, profound, lamentable, but above all, a formidable revolution of which we feel every day the disastrous consequences.

You have heard Mr. de Rothschild in the introduction to his proposal praise the fall of prices, in which he perceived the happiness of the labouring classes.

History, as well as what takes place in our own day protests, it seems to me, against this judgment.

From 1810 to 1840—this is history—the precious metals diminished in their production, the locomotive was invented, the steam loom transformed the world, electricity was applied, production was enormous, prices fell 49 per cent. The revolution broke forth everywhere in 1848.

If you read the writers of that time, such as Sismondi, you might think you were reading our own history.

Why did the fall of prices and the revolutions of 1848 cease? Mr. Goschen taught England the reason on April 18, 1883. "An eminent French economist," he said "has declared that France would certainly not have escaped bankruptcy in 1848 without the enormous expansion of currency produced by California and Australia. That expansion led to a commercial prosperity which permitted France to extricate herself from her political embarrassments."

My excellent colleague and friend Mr. Weber, said the other day that these were only lamentations, that all the bi-metallists were modern Jeremiahs. Yes, gentlemen, we weep, not exactly over the fall of Jerusalem or the captivity of Babylon, but we lament over the evils of modern times, over the ruin of agriculture and the accumulating losses of trade, over the evils which burst upon our modern society.

We have the right to lament and complain. We derive the right from the prophecies which we made, and to which you obstinately refused to listen, when, before you demonetised silver in 1873, we predicted everything which has taken place to-day.

I will cite some of these modern Jeremiahs. They are well known to you and deserve attention.

There is the Baron Alphonse de Rothschild, for instance. "It follows," he said in 1869, two years before the demonetisation of silver, "that we should demonetise silver completely. That would be to destroy an enormous part of the world's capital; that would be ruin."

There is Jeremiah the first. Let us pass to the second.

It is Mr. Wolowski, Professor at the *Collège de France*. "What will be the result?" he said, "it will be serious. An immense shock will disturb all markets. An enormous fall of prices will be the necessary consequence of the rise of the metal."

And you blame us if we lament and weep over the fall which we predicted with all the consequences which it involved for mankind.

Yes, we are Jeremiahs; but you must admit that our prophecies are fulfilled.

Still another Jeremiah. Sir Guilford Molesworth spoke of him yesterday. This is Mr. Seyd, an English Jeremiah in a mono-metallic country. He also deserves the credit of predicting and prophesying an evil whose existence many of his compatriots still obstinately deny. He said in 1870:—

"It is a great mistake to suppose that the adoption of the gold standard by other States besides England will be beneficial. . . . England's trade and the Indian silver valuation will suffer more than all other interests
 "When the time of depression sets in there will be this special feature. . . .
 "Every possible attempt will be made to prove that the decline of commerce is due to all sorts of causes and irreconcilable matters. . . . The great danger of the time will be," for it was to England that he spoke especially, "that England's supremacy in commerce and manufactures may go backwards to

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"an extent which cannot be redressed when the real cause becomes recognised and the natural remedy is applied."

We are prophets of evil, prophets rejected by the mono-metallists, I agree; but you must recognise that our prophecies have all been fulfilled for the last twenty years, and that they are very likely to be fulfilled until the end.

Open your eyes, gentlemen; for every day these Jeremiahs become more and more in the right in their opposition to you.

The fall of silver is obstinately spoken of and the rise of gold is obstinately denied. Consider Mexico, where silver is produced. The metal is not depreciated there, for it buys as many commodities as before. "No matter," say the mono-metallists, "silver is depreciated, for we see that it is." "But," you tell them, "there is a crisis everywhere." "There is no crisis," they reply. "But," you say, "gold is more and more appreciated." "Quite wrong," they say, "there is no appreciation of gold, there is only over-production." "But, after all, we are not Danaides, working without purpose. We manufacture so much less than before that all feel impoverished and ruined." "No," the mono-metallists repeat, "perish the colonies rather than a principle. We deny all that."

Are all these denials as valuable as the smallest proof? With Mr. Goschen I ask the mono-metallists kindly to tell us—

1st. Why they hold to the theory of mono-metallism?

2nd. What benefits the application of their theory has brought us up to the present?

This is what we have been asking for twenty years without obtaining a reply, as Mr. Goschen observed to the manufacturers of Manchester.

I notice that in building upon fragile foundations based upon simple denials, very singular systems are developed; thus our honourable opponent and colleague, Mr. Currie, told us that in his opinion the system of the future would be the *gold standard without gold circulation*, an idea well wedded to the notion "*that the inconvertibility of bank notes is one of the plagues which we should have the courage to contemplate calmly*," an idea which does not much alarm my honourable colleague Mr. Weber.

Many persons see a great advantage in the rise of exchanges. The manufacturers of Moscow demand an increase of inconvertible paper currency in order to raise the price of gold which acts as a premium upon exportation. That was the principle advocated by Mr. Karkoff, late director of the "Moscow Gazette." I doubt, gentlemen, whether, in a Conference whose object is metallic money, its increase, and the study of means for an increased use of silver, you will be disposed to accept such reasoning.

We are here to seek a wider and better use of silver money in order to increase the money of the world; but none of us propose, as Mr. Currie does, in the future to suppress gold; nor do we dream of inconvertible paper money, to which the mono-metallists infallibly would lead us.

An objection is made, and this is a question which seems very serious for England.

"England is the creditor of the world, which is bound to pay her in gold. Can you conceive for a single instant that England would be so simple as to say to her debtors, 'Pay me in silver and I will be satisfied?'"

Mr. Currie, I see, approves these words. I will not evade the argument.

I recognise, gentlemen, that the question is very serious and the remark very just, but there is a little preliminary question which England should taken into account. It is that if these people cannot pay in gold, it happens very often that they do not pay at all. If the choice is between not being paid at all and being paid in silver, I prefer the latter alternative.

Have we not the examples of nations which have been recently impoverished? Has England, the creditor in gold of Brazil, of Uruguay, of the Argentine, of Portugal, of Spain, and of many other countries, been paid in gold by all those countries? I do not think so. The houses of Baring and Murrietta might perhaps give us some light on the subject.

You will say, and I foresee the objection, that all these countries have managed their affairs badly. But this is not a matter of yesterday. These countries have very frequently and for a long time managed their affairs badly, and you will agree with me, I hope, that monetary contraction must have aggravated the evil. A crisis rages in those countries as well as here. There is a scarcity and appreciation of gold there as everywhere else, which must have singularly added to their difficulties.

Well, gentlemen, whether nations or individuals are concerned, when a debtor is bankrupt who is it that pays? Is it the debtor or the creditor? I have always noticed that it was the creditor. Throughout all social economy he who pays is he

who owns something, and it is always a rich nation which pays for a bankrupt people. I think that if this aspect of the question were examined England would very soon discover that she had a great interest in effecting a compromise, and that, being the creditor of the whole world, she should for that very reason come to the aid of her debtors, and prevent them from becoming insolvent and bankrupt debtors.

What do we see in Russia? In 1847 the rouble stood at 4 francs 25 centimes. It has recently fallen to 2 francs. Russia owed gold, it is true, but how could she obtain it? As she had none, the paper rouble being worth only 2 francs, and as she had to pay gold, she sent grain to London, Marseilles, and elsewhere, and sold it at a low price for gold. Our agriculture felt the effect; we were obliged to consume Russian wheat at a low price, and in our capacity of good creditors it was we who paid.

In Italy exchange was at one time at 25 per cent. below par, and silver and drafts upon Paris used to be at a premium; and has she not become an industrial country? Thanks to that premium of 25 per cent. she has set about producing more, and has sent us her products. Her commodities received a premium of 25 per cent. and thus she became a manufacturing State; and again it was the creditor nations to whom she was obliged to pay in gold that have felt the unfortunate consequences.

What happened not long ago in the United States which appeal to you to-day? How did they become manufacturers? It was thanks to the exchange and to the difficulty they had to pay their creditors. And to-day America sends us Geneva watches and St. Etienne rifles. It was again money, that is the exchange, which gave the initiative, the impetus, and the protection to the industries of debtor nations against the creditor nations who pay. Hence the cry of all our European manufacturers, Protect us!

Thus you see how the monetary question is transformed day by day into the tariff question, and how protection increases throughout the world without our knowing perfectly the cause of the phenomenon which is found to exist everywhere.

Even in England, did we not see, on May 19, 1892, Lord Salisbury make a profession of protectionist faith at Hastings? These are serious revolutions which should attract especially the attention of England, the cradle of free trade, the country which, under the impulse of Cobden, was the first to enter the path of commercial freedom.

Let England not forget what I have just proved clearly, that to persist in her present *mono-metallism* is to incite *protectionism*.

Bi-metallism implies the idea of *free trade*.

But after all, gentlemen, we are none the less confronted by this crisis which has become so characteristic, which is shown daily more clearly by the fall of prices and the consequent aggravation of the conflict between capital and labour. That is the real disease which we must cure. The only remedy is to have gold,—gold or a substitute. To have gold we should need California, and it is exhausted. There is nothing to do but to take the substitute for gold, that is silver.

I have just described the diagnosis of the disease which affects us. England should be concerned with it more than we, for I believe that I have demonstrated that the appreciation of gold acts there more than anywhere else. The remedy for the disease would be bi-metallism. But we have heard the formal declaration of France; without England, bi-metallism is absolutely impossible.

Here, gentlemen, permit me to rectify a slight mistake. Mr. Tirard was wrong in supposing, in the speech which he made the other day, that I had the idea that France alone or the Latin Union, without other co-operation, could open their mints to the free coinage of silver. I must certainly have expressed myself badly, or have been misunderstood; for such an idea never entered into my mind.

If you will read the proposal which I had the honour to submit to your consideration, gentlemen, you will see that it excludes the coinage of silver for all the nations. There is therefore no question of resuming coinage without the co-operation of England. My compromise goes still further, since it even excludes bi-metallism and is based absolutely upon gold mono-metallism only.

Taking into consideration the objections which have been made in this Chamber, I suggested this compromise. When it comes to be discussed, I hope to prove that it contains the means of agreeing upon a common basis, without injuring bi-metallist ideas, and at the same time respecting the strictest scruples of mono-metallists.

We are, it is said, about to adjourn to a future day. I hope, gentlemen, that the British Delegates will come back to us with an olive branch, the omen of our return to the prosperity, to the happiness, and to the peace which terminated twenty years ago, and to which their decision alone can insure our return.

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Sir Guilford L. Molesworth told us the day before yesterday that everybody in England was persuaded that a terrible crisis menaced that rich country as well as its colonies. He cited the example of eminent conversions, and particularly that of Mr. Gibbs, Director of the Bank of England, who in 1878 defended mono-metallism with even greater ardour than the honourable Delegates who are with us now, and who has since become President of the English Bi-metallic League, and the most fervent partisan of silver in England. He cited also Mr. Goschen, whose opinions had been so much modified. Finally, he spoke of himself as one of the numerous examples of these remarkable conversions.

Let us hope that the present Delegates will come back touched by the same grace, and that in our future sessions they will respond a little better to the efforts which we make.

It is in England, and in England alone, that the world and mankind can put their hope of a return to better times. That seems to me the true moral to be drawn from these first sessions, forming the first act, as it were, of our Conference, and I thought that I should do good service in bringing this point to the serious attention of our honourable colleagues of Great Britain.

Mr. de Osma.

Mr. DE OSMA (*Delegate of Spain*) spoke as follows:—

GENTLEMEN,

I hesitate to take any part in the interesting and profound general discussion of the great problem which we are studying anew. It would not be fitting for me to desire to contribute a personal opinion or a new argument when everything has been so well said on both sides. I can only say how deeply I feel that the remarks that I shall have the honour to make to the Conference can only have value in so far as my words may find an echo in your own thoughts, and if I express, however ill, something that we all feel.

Permit me, gentlemen, to perform an act of repentance. When the discussion upon the theory and present possibility of international bi-metallism was opened, I felt sure that our debates would recall by their brilliancy the memorable discussions of the Conferences which preceded this. The ability and authority of many of our colleagues made this easy to foresee; but I feared, I confess, that our debates, following the same main lines of contention as before, would only reach a result which for some sceptical minds would be confounded with ultimate fruitlessness. If I am not greatly mistaken, the discussion has led to a new and fruitful conclusion. I am anxious not to wound the sincerity of any conviction, or to commit injustice in interpreting the silence of any, and therefore I hasten to say that it is not because firm and sincere convictions have been lacking; but perhaps we have felt that abstract ideas alone have the right to be irreconcilable, and that, in passing into the sphere of practice, they carry with them all the responsibility for their consequences.

It is perhaps the recognition of an actual duty which has turned us from the former more bitter conflict of principles, and has led us to seek at least tentatively a solution common to all which might respond to the new need or the newly felt need for an agreement—a need which no longer consists solely in the desire to convince one another. There has always been in our discussions a certain dominant and unmistakable character, which is supported by the evidence of attitude more eloquently than by words; namely, the presence of a general goodwill, inspired by the existence of a crisis felt generally but with different degrees of intensity. Whatever personal sympathies we may feel, we must admit, gentlemen, that very few of us have been able to agree with the stoic opinion which denies the existence of a crisis, and concludes very logically that there is no need of looking for a remedy. That opinion is too strongly contrasted with the attitude of some of our colleagues, who are, moreover, themselves thoroughly convinced and perfectly impenitent mono-metallists. It disappears before the reiterated and recent declarations of statesmen, who have described the evils which are ruining agriculture and destroying the industries of their countries with a precision whose significance it is impossible to mistake.

These declarations have daily called our attention to one aspect, and assuredly one of the most serious aspects, of the questions which we are considering—an aspect which on the first day was noticed by our honourable President. It is the connexion which is produced in consequence of the contraction of prosperity and the progressive fall of prices between monetary questions and the great question of labour and of wages, problems which absorb the attention of our generation and are forced upon us day by day in the most imposing and formidable aspects.

The most serious obstacle to our labours is the diversity which the monetary question presents in different countries. Self-interest, which is common to all, takes a different shape in each country. But is there not an interest more important than that?

Whatever may have been said, and whatever we may have said ourselves, it is not a question only of the special interests of each nation, or of the interest of some of them, such as, for instance, the mining interest. These are great and real interests assuredly, which patriotism has a perfect right to defend; but the jealous patriotism of others, may, possibly wrongly, be alarmed at them.

Nor is it a question of the depreciation of great accumulated stocks of money. This is again assuredly a legitimate interest; but it does not concern other countries which, because of their special situation, may be indifferent to it, and which are for the moment protected from danger from that side.

The disturbances, the uneasiness, the crises of exchange between countries using different money concern in a general way the great interests of commerce, and touch very closely, though in different degrees, the direct interests of many States.

The unity of the interests of wealth, which was hardly thought of a generation ago, and which is revealed by phenomena and catastrophes which have become very familiar, is due to the extraordinary development of investment abroad, to the putting in common, so to speak, of the savings of peoples, and it embraces all of us. There is no public fortune so firmly based that it can be deemed protected from the effect of monetary crises, echoed back by industrial crises abroad; all may be affected in their private fortunes, which are mown down by these distant crises, so difficult to foresee and always unexpected.

But, besides all this, our minds and our consciences have been struck by the state of general distress,—so general that none of us would dare to say that it was unknown in his country—so great that it condemns, to misery millions of workmen whom we evidently cannot ask to reason justly or to comprehend perfectly the monetary problem, but who bring already, and with greater insistence, day by day this formidable argument to the discussions with which we are occupied—that they suffer and that they are aware of it.

If that, gentlemen, is the basis of the anxiety which I, as well as many others among us, have felt, and if that anxiety really explains some of the attitudes which we have observed, I contend that the Conference at Brussels will have the right to be proud of it, for it will have shown itself to be in harmony with the time.

If this is so, it would no longer be necessary to explain, and least of all to excuse, the uncertain tenor of our debates, the instinctive turning, in the midst of the most abstract discussion, to middle terms, to expedients, to palliatives, to anything which might permit a hope, however feeble, of immediate action.

We should in no wise despair, gentlemen, of obtaining that action from the Governments which we have the honour to represent here. The general sentiment has been manifested repeatedly in the form of regret at the withdrawal of one of the proposals which was before us. It is not merely to join in those regrets that I recall them; it is because I believe it useful, in view of the continuance of our work and the examination of the projects which may be ultimately submitted to us, to note that the plan to which I allude realised at least one essential condition which will certainly be embodied in the proposal which we may one day accept.

As it was reported to us, amended by its author, the project of the honourable Delegate from Great Britain permitted action, concerted by the different States, to be made in different forms and in different circumstances. It permitted the indication of a common intention and the imposition of equivalent efforts without requiring that the action taken towards the common end should be in all cases identical. That character will be found again, I think, in the projects which may with advantage embody later our common wish.

Permit me, gentlemen, in terminating, to draw but one conclusion from this quasi-unanimity of desire and to put it in the form of a question which I would address to our honourable colleagues the Delegates of the United States. Do they deem it necessary to press the discussion of the general thesis, which they have developed in these last sessions with masterly clearness, and which they have defended with the valour of profound conviction, to a point where our doctrinal differences must become evident, in a vote?

Is it not true that, while a great number of us share their ideas, we are nevertheless convinced of the truth which Senator Allison expressed at our first meeting, that the moment has not yet arrived when this discussion could lead to a practical result or a

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possible agreement? I appeal to the practical genius of their nation. The future may be in their hands: In any case the future is not prejudged by words. At the present moment our colleagues are well aware of the spirit of compromise and of good will which prevails among us as concerns the present. Will they not take it at its word, and bring us at a future date a proposal which will be the proof that where so general a desire as ours is felt, the means of expression and action are not long lacking.

That is, in effect, only a paraphrase of a truth which has passed into a proverb in their great country, "Where there's a will there's a way."

DR. ANDREWS (*Delegate of the United States*) spoke as follows:—

Dr.
Andrews.

GENTLEMEN,

I rise to remark that some of the honourable Delegates who have most warmly insisted that the discussions of this Conference should be occupied neither with metaphysics nor with pure theory have accused bi-metallism of being necessarily allied with the protective system and at the same time opposed to the principle of natural law.

I do not feel that I have the right to command at this moment any important part of the precious time of the Conference. I reserve at a later date therefore to take occasion, should it be presented, to demonstrate briefly to the Conference:

1. That when it is considered that so many of the strongest adversaries of bi-metallism are protectionists, and so many of its strongest advocates favour free trade, it is wrong to assert that there is the connexion which is claimed between these two systems.
2. That the prohibition of free coinage of silver among so many nations, in annihilating any stability in the rate of exchange between the world which uses gold and that which uses silver, and in transforming commerce under these conditions into a veritable game of chance, does more to restrain at this moment the freedom of universal commerce than all the tariffs in existence, without excepting that of my country which has been so severely censured.
3. That if bi-metallism be not established the distance between the two worlds of business instead of diminishing or stopping at a certain point, as some of our honourable colleagues and many other intelligent persons believe, will only be enlarged, in an irregular fashion, it is true, but more and more, and without limit.
4. That since, if we consider all the qualities of the two metals, silver was and still is just as suitable for use as money as gold, the demonetisation of the white metal was much the most flagrant and the most disastrous rupture of natural law which was ever committed by the action of States, without excepting any legislation in the history of mercantilism.
5. That the theory of natural law which has led to the accusation that bi-metallism is opposed to that law, belongs to an order of ideas which the progressive philosophers and economists of all countries have long since abandoned.

DR. ANDREWS laid upon the table a note relative to the production of gold and silver.

Mr. Raffalovich.

MR. RAFFALOVICH (*Delegate of Russia*) expressed himself as follows:—

GENTLEMEN,

After the cordial declarations of Mr. de Osma I would not throw a discordant note into the debate. On the contrary I think I may express to the honourable Delegate of Spain our general gratitude for the sympathetic manner in which he has explained the end at which we aim. He has justly shown that if the theories here represented have not capitulated, at least the good will and the sincerity of our efforts should be recognised by all those who may examine the labours of the Conference of Brussels.

I join, too, with him in addressing to the honourable Delegates of the United States the question which he formulated: Is it the intention of these Delegates to press the debate to a finish, to ask that we should give an opinion upon the main question which they have brought before us, or do they not think it preferable to leave it open, and in the position in which it stands to day?

I have taken to heart the judicious hint given us by the honourable Delegate of Austria-Hungary to avoid an academic turn, and I will be very brief. I believe that it is already too late to reply to Mr. Allard; the opinions of statesmen and economists who, considering the concrete situation, are advocates of the *status quo*, have been so adequately expressed that I have no need, after Messrs. Weber, Forssell, and Cramer-Frey, to return to it.

I shall make only one objection to Mr. Allard. He forgets the conversion of public debts, and the fall in the rate of interest. The share of labour increases, that of capital diminishes. As to the allusion to Russian inflationists, I would reply to Mr. Allard that my compatriots who suffer from that disease have the agrarian bi-metallists of Germany and the silver men of the United States as companions.

The situation of the working man of to-day is infinitely better than that of the working man of fifty or sixty years ago. There have been crises at all times, and I believe that the monetary factor is only one of the elements to be considered; I am convinced that the remedy needed should be looked for elsewhere than where Mr. Allard shows it.

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Mr. ALLISON (*Delegate of the United States*) spoke in English, as follows:—

Mr. Allison.

MR. PRESIDENT,

My impediment as respects the French language will be my excuse for not thoroughly and clearly understanding the suggestions made by my two friends, Mr. de Osma and Mr. Raffalovich. If I gather what they desire, it is that the Delegates of the United States should not press a vote upon the main question which is now under discussion. I will say for myself, as I think I can for my colleagues, that it is not our purpose to ask a vote upon this important question at the present moment. We appreciate the cordiality of expression by all the Delegates as respects the situation in regard to the matters before us. Therefore I think I can say that now, as in the beginning, we would gladly consider practical proposals short of the one especially under discussion. The impediment which we found in the beginning I am sorry to say still continues. The propositions that have thus far been presented, at least so far as they have come to me for examination, are propositions which imply great concessions on the part of the Government of the United States, and we feel that in this regard we should not make committals unless the compensations are such that our own Government as well as others would be benefited by their application. I do not know but that I should say a word about the monetary situation, as also about what the United States has done respecting the question of silver; and especially so as some animadversion has been made upon the policy of the United States on the subject.

The monetary use of silver is not to the United States a new question. A century ago in the infancy of our Government, this whole question was carefully and thoroughly examined by its founders. Our Constitution which, in this respect, remains unchanged to this day, gave to Congress the full power to coin money and regulate its value. Immediately after the adoption of the Constitution a careful examination of the advantages and disadvantages of using both metals was made, and prominent in that examination were Alexander Hamilton and Thomas Jefferson, two of the most eminent men of the times. It was then decided that in our money system both gold and silver could be used at a just ratio to be fixed. Pains were taken to discover what should be the true ratio between these metals in their coinage value. After such examination, Congress fixed a century ago that just relation at 15 to 1, and established the coinage of both metals at this ratio into full legal tender money. It was also provided at that time, and in successive statutes later on, that the gold and silver coins of other countries should be a legal tender in full payment of all debts, public and private, permitting the use of not only the coins fabricated in our own mints but also the coins fabricated in the mints of Europe. It is believed that the declared ratio of 15 to 1 was nearer the true ratio of the world's circulation than any other. About the same time, provisionally, and later on permanently, France established the relation of 15½ to 1 as the true ratio and opened her mints to the free coinage of both metals at this ratio. We were then geographically widely separated from Europe and for many years afterwards our external commerce was relatively small because of the slow method of communication and our sparse population. France, in the heart of Europe, exerted then, as she does now, great influence upon the trade and exchanges of Europe, and thus maintained continuously her ratio amid all the changes and perturbations of 70 years. Our silver being over-valued, the result was that gold gradually disappeared to find its way to the French mints, and although we had established a

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double standard, because of the ratio we lost our gold or most of it. This was not satisfactory, and agitation was made for change of ratio so as to retain gold as well as silver. Early in 1830 gold mines were discovered that gave promise of a large yield, and with such promise came a renewed agitation for change of ratio. In this discussion, Albert Gallatin, and others familiar with the subject, favoured the French ratio of $15\frac{1}{2}$ to 1. But the prospect of new gold influenced many to believe that a more favourable ratio to gold would stimulate the development of the mines. After debate the ratio of about 16 to 1 was agreed to in 1834, thus over-valuing gold, so that gradually our silver disappeared, and gold became practically our metallic money in use. The difference of $3\frac{1}{2}$ per cent. caused silver to disappear, only to reappear in the mints of other States. To retain silver at all it was necessary for us later in 1853 to coin subsidiary coins at about 7 per cent. less than the French ratio. Had we adopted the French ratio in 1834 I firmly believe that this Conference would never have been called together, we would have retained both metals in full circulation, we would have thus maintained them until now, and the depreciation of silver or the appreciation of gold would not have taken place, and these metals would have been permanently linked together. This was our condition as respects coinage when our unfortunate civil war began in 1861, which soon required enormous expenditures for war purposes, followed by a suspension of specie payments and the use of Government paper money, without any expectation that it would be redeemed during the period of war. Provision was made by law for the payment in coin of Customs duties as well as for the payment of the interest on the public debt. Our gold gradually disappeared, saving only a sufficient amount for these purposes. When, therefore, the war closed, we were far removed from specie payments, and it was not until ten years after the close of the war that Congress was able to pass an Act looking to the restoration of specie payments to begin four years later, or on the 1st day of January 1879. When this Act was passed in 1875, the full effect upon silver of the action of Germany and the States of the Latin Union was not seen, nor did we then realise that the outlawry of silver by these States and the action of the United States would so greatly influence its depreciation.

What was the situation at that time? In 1873 a separation in value of the metals began and it has grown year by year wider and wider, being greater now than at any time heretofore. The leading causes of their separation are well known and are not a matter of serious dispute. Nearly all agree that it was the legislation of Germany, of the Latin Union States, and of the United States. At that time there had been no greatly increased production of silver, and it did not enter the public mind that there was too much silver, which was in as great demand as gold when this course of legislation was entered upon.

Does anyone believe that if these legislative acts of the several Governments I have named had been made effective, the phenomena of now a larger production of gold, and then a larger production of silver would have disturbed the relative value of these two metals as money in international circulation.

It was believed in 1878 that it would be wise for us to use silver to supplement gold and make it more convenient to resume specie payments on the first day of January 1879, and to maintain such payments thereafter; and although we had declared the gold standard in 1873, then having neither silver nor gold in circulation, the people strongly favoured the use of silver as full legal tender money, and many favoured its full restoration. The States of the Latin Union, though closing their mints, still kept in circulation all the money already coined as full legal tender. This, in the aggregate, was a large sum, but being used only in domestic circulation, it was kept at par with gold. It was believed that we could in the same way utilise a large amount of coined silver in our domestic circulation, and thus economise, as they had done, the use of gold, drawing less of it from Europe than would otherwise be required; and to this end in 1878 the policy of purchasing a limited quantity of silver each year and coining it into full legal tender money was adopted, and, at the same time, provision was made requiring the President to invite European nations to a conference on the monetary situation with a view to restore silver internationally as a full monetary metal. I may add that it was hoped that through such conference Germany and the Latin Union States would be induced to retrace the steps they had taken, and that Great Britain also, with her commerce extending into every sea and with all nations, would follow or lead in a monetary coinage for the restoration of silver. This legislation of 1878 aided to establish, and to easily maintain, gold payments, and all our money now, whether of paper or silver, is at par with gold, and by statute it is declared to be our settled policy to maintain gold and silver and paper

at a parity in value. We do not have in the Treasury now, and in circulation, as much full legal tender silver per capita as does France, with our population increasing at the rate of two millions per year, requiring a constant increase of the money volume. I was greatly pleased to hear from so eminent an authority as Mr. Tirard that this silver circulation in France creates little embarrassment, and that France is satisfied with her monetary situation. Whether this legislation is wise or unwise, it has the successful example of France for its encouragement, so that those who criticise adversely should include France and the Latin Union as well.

Our legislation and our experience leads us to believe that by the establishment of a monetary union, embracing important States, the lost parity of value can be again restored. The separation of the metals is now so great that this restoration may not be immediately practical by concurrent action. It may be that equities have arisen that will require that these returning steps shall be gradual. But the people and the Government of the United States believe that these steps should be carefully considered and in some form entered upon. If not for this purpose our efforts here will be of little avail. In case the nations represented here are of opinion that gold only should be the standard money metal of the commercial nations no monetary union is necessary to facilitate the execution of this purpose. Much of the legislation of the States of Europe in recent years has been in this direction, and that of the United States has been of a temporary nature enabling it to travel in either direction as might be best for its interests, always keeping itself in an attitude to aid in the full remonetisation of silver in concurrence with other nations sufficient in number to make it effectual. This struggle between those who wish to make gold only international money, and those who desire to make both gold and silver international money, has been going on now for the last ten or fifteen years, and yet year after year, with exceptions now and then, the separation has been going on and the divergence between the metals has become wider and wider, whether measured in terms of gold or in terms of silver. The value of silver will be increased, if it is increased, by its enlarged money use, and it will be diminished by its diminished money use, so that any effort to increase the full money use of silver will result in an increase of its value, or in steadying its value. The mere purchase of silver without providing in some way for such use for a given period, whether a longer or a shorter period, only temporarily advances the price and further depreciation will take place when the period expires, unless the silver so purchased shall have become permanently a part of the world's money.

This statement of attitude shows the spirit in which our monetary legislation is conceived. If it was unwise for the United States to coin in a limited way for its domestic circulation, the same logic would require that the five-franc pieces should be put into the melting pot. The action of the United States in its legislation as respects silver in 1878 and 1890, though often misinterpreted, has surely relieved the situation largely from what it would have been had the purchases provided for not been made. It is a mistake to suppose that these purchases by the Government of the United States have in the slightest degree had the effect to increase the production of silver there. This legislation of the United States, so sharply criticised, has not only benefited its own people, but has been of benefit to the commercial nations of Europe. This may be illustrated further by the study of the effect of the immediate cessation of these purchases by the United States concurrently with the adoption of a gold standard in India, and the closing of the Indian mints to silver. If these acts have not been favourable to the monetary systems of European States in recent years, then they are not concerned now whether we continue them one year or five years, or whether we shall presently repeal them and leave the silver produced to be absorbed in subsidiary coinage and in the arts. We had hoped that the European States might be ready to retrace the steps which resulted in silver demonetisation concurrently with the United States, whereby the mints could be re-opened to coinage on some just ratio; but they do not appear to be ready to take steps in that direction, as shown by utterances here. In that situation Mr. de Osma asks me if the United States is not now, or if it will not soon be willing to present to the Conference some plan, tending ultimately to the restoration of silver, but which will fall short of such restoration. I can only answer now, as we did in the beginning, that we are willing to accept any plan in that direction, but as we seem to be one party, and the European States another, it is difficult for us to formulate a plan agreeable to them. Most of the plans proposed thus far ask in some form the United States to continue its present policy of purchases and to the amount now purchased. If we are to do this, adequate compensation must be given us, as we cannot accept a policy which, by possibility, would place us on a silver standard, Europe remaining on the gold standard. But for myself I am willing,

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and I doubt not that the United States would be willing, to do whatever can fairly be done within these lines of prudence to increase the use of silver concurrently with the nations here represented. As I understand, it is proposed presently to postpone the Conference to a future day. I can only hope that the studies begun here may during the interval receive the thoughtful consideration of all the Governments, and from their consideration of the subject some plan may be devised that can receive the assent of all the Governments doing justice to all and injustice to none. I have not answered Mr. de Osma's question as definitely perhaps as the Conference would like, but it is the best possible answer I can give now.

If it shall be found impossible or impracticable to form a monetary union, looking to the restoration of silver, and if each of the European States, or groups of them, are to continue their present policy, then the United States which has thus far done much to maintain silver (and largely with the hope that important States of Europe would join in its restoration), will doubtless also establish a permanent policy of its own, and in the struggle for gold, if struggle it be, with a population increasing at the rate of two millions per annum, with production and wealth increasing much more rapidly, will find ample resources to sustain its policy whatever that policy may be.

No vote
taken upon
the bi-metal-
lic proposal.

THE PRESIDENT noted that no one asked that a vote be taken upon the main proposal of the United States; with the assent of the Assembly he declared the discussion upon bi-metallism closed.

The Conference fixed its next meeting for Saturday, December 17th, at 10 o'clock.

The Session adjourned at 6 o'clock.

APPENDIX A. TO THE MINUTES OF THE NINTH SESSION.

Second Report of the Examining Committee.

Appendix A. The Examining Committee had before it:—

1. A proposal of Mr. Tietgen.
2. A proposal of Sir William Houldsworth.
3. A proposal of Mr. Allard.

The text of these proposals is known to the members of the Conference.

4. An amendment to the last two proposals, or a counter-proposal presented in the course of the discussion by Mr. de Foville.

5. A further amendment presented by Mr. Forssell.

6. A proposal coming from Messrs. Montefiore Levi and Sainctelette.

The work of the Committee has been carried on in the intervals between the Sessions in which the Conference discussed bi-metallism as favoured by the Delegation of the United States.

The labours of the Committee terminated before the Conference was called upon to pronounce upon the bi-metallic proposal.

It was necessary to take this situation into account. The Committee did not take up the examination of details, or of means of giving effect to the proposals referred to it; it thought proper to limit its examination to general questions of principle.

From this standpoint the Committee had to consider three projects, proposing the establishment of:—

1. Silver money of an international character, and of full legal tender in one or several countries.
2. Silver money of an international character, based upon a fixed and constant ratio between the two metals.
3. Certificates of deposit for silver, or money tokens, without power of legal tender, and representing quantities of silver varying with the market price of that metal.

Finally, and in the fourth place, besides these projects of a purely monetary nature, the Committee examined combinations of an exclusively commercial character, tending to facilitate the circulation of precious metals outside the currency.

I.

PROJECT OF MR. TIETGEN.

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Committee.

In its original form the Tietgen plan proposed the establishment of an international silver money, to be based upon the changing market value of silver, and to be unlimited legal tender in the countries which coined it.

The author had in view the mobilisation, in some way, of the metal which had lost its international outlets; he built up his proposal upon a commercial basis, inasmuch as he takes the market price into account; and, finally, he wished nevertheless to open the way, within certain limits, for that money to the reserves of the great banks of issue, through a stipulation guaranteeing its convertibility into gold.

This last idea was quite novel, and appeared most to impress the Committee. There seemed in it to be a means of establishing in the banks of issue a sort of metallic credit upon foreign countries, which might in times of crisis serve, up to a certain point, to protect the gold reserves.

Among the objections urged there are two to which we would call attention.

1. The objection resulting from the difficulty of forming a union to authorise a silver coinage which should be convertible into gold, among various States all of which might not furnish at all times during the existence of the union the same guarantee of solvency in gold. A union formed in this manner would be limited by the force of circumstances to a few States, and if it were proposed to extend it, a necessity would arise for regulating the amount of coinage allowed in these States, an operation which would not only be very delicate, but which would lessen the importance of the outlet offered to silver.
2. The practical objections arising from the simultaneous circulation of coins of different weights, under the same denomination, and the necessity of proceeding to re-coinage, which might have to be repeated if the adoption of the system did not bring about a sufficient stability in the actual ratio between gold and silver. That would deprive the proposed coinage of that simplicity, stability, and equality which are essential to any good money if it is to circulate among the great masses of people.

Yielding to the force of this last argument, Mr. Tietgen consented to withdraw from his project the stipulations relative to the re-coinage of silver money, retaining the principle of an international silver money established upon a ratio varying with the market price expressed in gold, repayment being guaranteed by each of the contracting States for the coins which it had minted.

The Committee, in the absence of the author, did not take up the examination of the proposal in its new form.

II.

PROJECT OF SIR WILLIAM HOULDSWORTH.

The proposal presented by Sir William Houldsworth and referred by him to the authority of Huskisson, contemplates the creation, under the form of certificates, of an international silver money having full legal tender in the issuing countries, but not redeemable in gold. The introduction of such certificates into the general monetary circulation would meet the objection made against bi-metallism of the difficulties of re-coinage in case of variations in the gold price of silver.

The practical execution of the project would require, in the view of its author, as a preliminary condition, the formation of a bi-metallic union, or at least the existence of free coinage in a sufficiently powerful state, in order that the ratio might be maintained with a minimum of fluctuation.

There would be therefore, as Sir William Houldsworth conceives it, one or several States with mints open to the free coinage of silver, and another group of States admitting silver money or rather silver certificates with full legal tender. The countries of the last group would not, as nations, incur any responsibility towards the holders of these certificates; the possible loss resulting from a depreciation of silver when the certificates came to be exchanged for gold would fall exclusively upon the last holders.

The countries of the second group, without having all the responsibilities which flow from unlimited coinage, would nevertheless be led into the path of bi-metallism by the fact that the silver certificates would be full legal tender in transactions between

individuals and in the payment of taxes. Their obligations would not be unlimited, but they would have a certain measure of liability.

It was observed that the "legal tender" feature would prevent the adhesion of certain countries which would object, not only to re-open their mints to silver, but even to introduce into their circulation monetary tokens which some day might be found to be depreciated by the rupture of the more or less extensive bi-metallic union, whose existence is judged indispensable to the effective operation of the proposed system.

Sir William Houldsworth declared several times that he held to the "legal tender" feature as essential to his plan, although in the original text of Huskisson in 1826 that term does not figure expressly, and though the question is of a money destined especially for commercial transactions. It was asked if such money, without being legal tender, could not find a useful function among banks for the liquidation of the obligations of wholesale commerce. It would operate like bank paper which circulates until maturity on a par with legal tender money solely by virtue of the solvency of the signers, and serves to pay debts between compatriots and between nations.

In face of the clearly expressed wish of Sir William Houldsworth, the Committee did not examine the advantages which would result from the acclimatisation in this form of certificates fully covered by a deposit of metal, but based exclusively on silver.

III.

PROJECT OF MR. ALLARD.

Mr. Allard did not present a complete project with all practical details; he drew upon Mr. Windom's plan, and added an international character to it.

Mr. Allard contented himself with advancing the idea of the creation of an international silver note, not legal tender but redeemable to the bearer by a quantity of silver varying according to the fluctuations of that metal in the market and representing always the nominal value expressed in gold.

The issuing States were to form a group, and would bear in common, in proportions to be determined, any possible losses resulting from a redemption of these notes in case silver depreciated. The project of Mr. Allard differs therefore from that of Sir William Holdsworth in assigning the possible loss to the States and not to the holder. Circulation of these certificates would through this fact become more active and more extensive.

It was objected that according to the ideas of the author only those States which had purchased silver would participate in the profit resulting from a rise of the price, the quantity of metal necessary for redemption diminishing in proportion to the advance of the metal; while all the associates, whether they had been purchasers or not, would bear a part of the loss in case of a further fall in the metal.

That being the case, it was to be feared that under the present circumstances, at least, the accessions to the scheme would be few, and limited to those States which would accept entirely the policy of silver purchases. The efficiency of this remedy to increase the use of silver is therefore doubtful, despite the real merit of the proposal in limiting the loss and dividing it among a community of States while creating a certificate suitable for international circulation.

IV.

In spite of the interest there is in determining the best form of silver certificate, as an important auxiliary to money properly so called, the Committee was not in a position to continue its labours in that direction by the aid of the proposals before it. They preferred to leave the question open and to await the indications which might be furnished by the discussions of the Conference as to the functions and conditions of convertibility for such a supplement to money.

However, Mr. de Foville expressed the opinion that an appreciable service would be rendered to the white metal if international legislation should favour the practice of depositing silver bullion in the mints or in the banks of issue, against certificates of deposit or purely commercial warrants, negotiable though not legal tender, and without any guarantee of value on the part of the Government. In this way it would be possible to mobilise a metal whose weight and bulk tends to foster its disuse. Going a step further in this path, Mr. Raffalovich suggested the idea of giving these certificates an international character by the establishment of a system of transfers which would permit the bearer to withdraw, upon presentation of the receipt, an equal quantity of silver in any one of the associated institutions which had an available

stock. Mr. Raffalovich also asked whether it would not be well to apply the system to gold as well as to silver in order to increase its power of circulation.

Mr. Forssell, wishing to exemplify the benefit which might be expected from an international agreement with the view to improve the conditions of gold circulation and to diminish the frequent transfers of gold from one bank to another, favoured a practical formula which had already been tested, viz., that of the agreement in force between the national banks of Sweden, Denmark, and Norway. That interesting agreement is annexed to the present Report.

The representatives of the producing countries urged that a departure was being made from the programme of the Conference, whose mission was specially to study the means to increase the *monetary use* of the metal. They objected further that the example of the United States shows the possible dangers of these silver warrants. In consequence of their introduction on the New York Exchange they furnished the material for "futures," and fed the feverish speculation which accompanied the discussion of the Purchase Act of 1890. They represented that it would be at variance with the motives which had led to the convocation of the Conference to constitute floating stocks of metal without a monetary outlet, which would be added to the annual production.

It was replied that speculation seized upon all the great international products; that facilities given to a market have the advantage of assuring its size, and, by the larger operation of the forces of supply and demand, a certain equilibrium of price; and that there is in that a compensation for speculation which cannot be entirely avoided. The receipts for the metal, though perhaps the object of mischievous speculation, might also serve as instruments for the liquidation of international transactions, and thus have a useful function as means of payment, though not clothed in the form of money.

At this point of the discussion the last proposal was introduced which the Committee was called on to examine, viz., the creation of receipts for deposits of gold and silver, on condition that a certain quantity of silver should always be accompanied by a certain quantity of gold, with an International Commission to determine periodically the proportion in which these twin deposits should be made in order to be represented by the certificate. To fix this proportion, account should be taken of the price of the white metal in the market. The certificates might be given an international character as mentioned above, and the Commission to fix the ratio might serve as a base for the creation of a sort of office of issue, permitting the issue of receipts in a uniform style, and thus facilitating the circulation of these auxiliaries to money in all countries.

The arguments with which the project of Mr. de Foville had been supported and opposed apply equally here.

It was also asked whether this marriage of the two metals would not be in some sense artificial, and if this system would meet the demands of commerce, which sought above all simple solutions.

On the other hand attention was called to an indirect consequence of the issue of certificates based on gold and silver together. Producers of silver, being unable to find a market without uniting an equivalent quantity of gold to the silver which they had to sell would be led to restrict their production and to proportion it more exactly to the quantity of gold and silver which could be assimilated by general circulation. It was observed, finally, that the variations in the value of the precious metals would be diminished, if not annulled, by the co-existence of the two metals in deposits represented by the certificates. The result would be that the value of these twin deposits would be relatively stable.

In terminating this summary Report, we should state that the Committee did not consider that its functions, as outlined by the Conference, called upon it to formulate a compromise between the two monetary doctrines.

The proposals which were submitted to its examination were too closely allied to the general debate before the Conference for the Commission to pronounce upon the propriety of their discussion in full Session.

The present Report, which we have sought to make absolutely impartial, is limited to a simple exposition, designed to serve as a basis for further studies by the Delegates and by the Governments.

MONTEFIORE LEVI.
President,

A. RAFFALOVICH,
G. DE LAVELEYE,
Secretaries.

DOCUMENTS attached to the SECOND REPORT of the COMMITTEE.

NINTH
SESSION.I. PROPOSAL of MR. TIETGEN (*Delegate of Denmark*).

Appendix A.

Documents
attached to
Second
Report of
Committee.

An International Union will be formed between such States as may wish to join it. The Delegates of the International Union will fix for the first time the ratio actually existing between gold and silver on the basis of the average price of silver at London during the 12 months preceding the formation of the Union.

The States forming the Union will have the right to coin without limit silver pieces approximately equal in value to the old 5-franc piece, namely, pieces of 5 francs, of 1 dollar, of 4 marks, or of 4 kronen. These coins would be unlimited legal tender in the country in which they were struck. The weight of silver in the coin will be determined by the above-mentioned ratio, with an allowance of 10 per cent. for seigniorage.

A Commission, composed of Delegates from three or five States, will watch the course of the silver market. If the price of silver, as shown by its average price at London for the last three or six months, fall 5 per cent. below the ratio originally fixed, the Commission might summon a Conference to decide whether there should be a re-coinage.

Every bank of issue would have the right to hold a portion of its metallic reserve in silver coin of the Union, without distinction of nationality.

The banks of issue would have the right to demand from any country of the Union payment in gold for the coins of that country which it held, upon six or twelve months' notice.

II. AGREEMENT between the NATIONAL BANKS of SWEDEN, DENMARK, and NORWAY.

1. Each of these three banks opens banking accounts with each of the others, on which they may draw cheques payable at sight, even when they have no amount to their credit in the bank they draw upon. On these same accounts any amount can be paid in to the credit of the respective bank.

2. For amounts credited or due on these accounts no interest is charged nor any commission for transfers on such accounts.

3. Cheques may be drawn as well on the head offices of the three banks as on the branch offices of the Bank of Norway, Christiania, and Bergen

4. No bank is allowed to overdraw on the other for the purpose of making a profit.

5. No cheques for a lesser sum than Kr. 10,000 ought to be drawn.

6. For drawing and cashing of cheques no commission is charged.

7. Notice is to be given when cheques are drawn and issued.

8. The debit balances are payable on demand.

9. When balances are withdrawn in bullion, the creditor takes the risks and costs of transmission.

10. If the bank whose debt is to be paid has a sum to its credit with the third bank it shall have the right to pay its debt by a draft on that bank.

11. In case no special arrangements are made, payments are always made in gold pieces of 20 or 10 kronen.

12. Quarterly accounts are rendered

13. The agreement can be terminated by three months' notice

APPENDIX B. TO THE MINUTES OF THE NINTH SESSION.

Note presented by Dr. Andrews (*Delegate of the United States of America*).

Appendix B.

Note by
Dr. Andrews
on produc-
tion of gold
and silver.

Giving a *résumé* of the critical views of prominent geologists and metallurgists in the United States of America, as set forth in the United States Consular Report, No. 87, December 1887.

N. S. Shaler thinks that the output of both gold and silver must henceforth gradually decrease, and that "gold is more likely to become an article of increased cost within the coming half century than any other metal," though we are "liable to many sudden increments in the production thereof." J. D. Hague is of the opinion that while gold may slightly increase in yearly supply, silver can hardly fail to go the other way. R. H. Richards concludes almost exactly with Shaler. J. S. Newberry utters, as the result of his long experience, the conviction that our production of both gold

and silver has passed its maximum, and that in future we cannot expect a yield of more than perhaps one-half the greatest annual product of gold. Not only America's, but "the world's stock of gold will gradually decline from the diminished supply, the increased consumption in the arts, the abrasion of coin, &c." The outlook, he thinks, is much the same for silver. G. F. Becker expresses the view, which interestingly complements the above, that the relation in amount, by weight, between the gold product and that of silver is likely not to vary much in future from the figures (29.1 of silver to 1 of gold) at which it stood from 1493 to 1875. That is, we are as likely to find new abundance of gold as of silver. R. Pumpelly alone anticipates a considerable increase in the precious metals, more in gold than in silver. Not one of the authorities who speaks in the Report fears anything like a "deluge" of silver, though R. W. Raymond believes the silver product likely to increase. In addition to the above I would draw attention to the opinion expressed by R. H. Inglis Palgrave in his memorandum printed as Appendix B. to the Final Report of the (1886) British Commission on the Depression of Trade and Industry, that even now, spite of its wide demonetisation, the employment of silver for coinage purposes appears to exceed the net production.

It will be seen that the above opinions concur remarkably with those of *Suess* in his well-known works, *die Zukunft des Goldes*, and *die Zukunft des Silbers*.

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Note by
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on produc-
tion of gold
and silver.

TENTH SESSION.

Saturday, December 17th, 1892.

MR. MONTEFIORE LEVI, President, in the Chair.

All the Delegates were present with the exception of MR. TIETGEN, *Delegate of Denmark*, his Excellency MR. SURRA Y RULL, *Delegate of Spain*, MR. TIRARD, *Delegate of France*, DON JOAQUIN D. CASASUS, *Delegate of Mexico*, and MR. LARDY, *Delegate of Switzerland*.

Proposal for
adjournment.

The Session was opened at 10 o'clock.

The Presi-
dent.

THE PRESIDENT spoke as follows:—

GENTLEMEN,

The discussion having been closed upon the grave question of bi-metallism submitted by the Delegation of the United States, I hope you will permit your President to testify his gratitude for your efforts to facilitate for him the duty of conducting your debates. In accepting the high presidential functions which you kindly confided to me, and which I consider as the greatest honour which could fall to me, I had counted upon your good feeling, and the experience of four weeks of Session has proved to me that it was not in vain. I wish to thank you with all my heart at this moment when, in accordance with the desire expressed by a great number of Delegates, the Conference will probably suspend its labours, to take them up at a date to be fixed to-day.

A motion to this effect will be presented by his Excellency Baron de Renzis, Delegate of Italy, and I venture to express the hope that it will receive the entire approval of the Conference.

Permit me, gentlemen, to call your attention to the character of this Conference, and to the results which we have already obtained.

In more than one eloquent discourse which we have heard, the advocates of the two great monetary theories have certainly not failed in what they considered a duty, the defence of the economic principles which they profess. But for the first time in an International Conference we have seen a continued attention accorded to the study of subsidiary means for increasing the use of silver in the monetary systems, and tending to give stability to the price of that metal, which continues steadily to depreciate.

It was apparent to all that at this moment an agreement was impossible between the representatives of the single and double standard; but the conscientious examination of the present situation, the recollection of facts which have occurred since the last International Conference in 1881, the fear of seeing the monetary position, which is already disturbed, aggravated in a perhaps not far distant future, have inevitably impelled us to study the subsidiary projects to which I have alluded.

Radical solutions have been relegated to the background, and with unanimous agreement, in the Session of Thursday last, the Conference refrained from closing by a vote the debate upon the bi-metallist proposal formulated by the Delegation of the Government of the United States.

I will not speak, gentlemen, of the various subsidiary projects which have been advanced, but it is well to point out that the speeches delivered, and the figures and documents brought forward in the general discussion are a fruitful source from which we may draw largely for the further necessary study of these projects of conciliation and limited agreement among the nations. One of these proposals deserves, however, special mention by reason of the thorough discussion which took place in the Committee; and although it was only touched upon in the general Sessions, when it was not thought opportune to come to a vote upon the question, it might be attached to nearly any other solution adopted. It is the proposal for the withdrawal, on the one hand, of gold pieces, and on the other, of small notes, of denominations lower than twenty francs.

It is evident that to the minds of a great number of us, if not of all, apart from the special difficulties in certain countries, the execution of this measure would have the desired result of increasing the use of silver in the monetary circulation of the different states.

Permit me, gentlemen, to cite an extract from the eloquent discourse of a colleague whom the necessities of political life have taken from our midst. Mr. Tirard, now Minister of Finance of France, said in the Session of December 10th, "I do not know yet what will come out of the Conference, and to what practical result it may lead; but this much is certain, our labours will not in any case be fruitless."

"It will be a great result to have started this practical study, though perhaps the study will be long before it comes to a conclusion, since progress is always slowly realised. Ideas from the realm of abstraction cannot pass at once into the domain of facts. . . . To realise them requires much labour, much good will, and much effort."

Labour, effort, and good will cost us nothing. We have arrived at the period of reflection, and if I may express myself thus, of labour of the study, permitting the Delegates to co-ordinate the elements of the practical monetary problem of which we all desire a solution.

The various Governments which we have the honour to represent will be able on their part to examine and judge the ideas put forward and the general situation, whose conditions seem to be faithfully reflected in our discussions. At the moment when we suspend our labours we carry with us, I regret to say, the very general impression of an uneasiness which calls for a remedy; but we cherish at the same time the hope that palliatives or possibly a combination of palliatives may perhaps be found to conjure the evil by the aid of an international agreement or understanding. We have finally, I venture to assert, a lively and sincere desire to come together again, with the conviction that we shall be better equipped to reach a successful result than we were in beginning our labours.

The resolution which his Excellency Baron de Renzis will have the honour of submitting to you proposes to fix the date for the resumption of our labours at about six months hence.

As that interval may appear somewhat long, I think it well to prevent any erroneous interpretation, by explaining in a few words the reasons why it seemed nearly impossible to meet again at an earlier date.

In the first place, the festivals of Christmas and of the New Year make it our duty towards our colleagues who are distant from their homes to permit them to spend these days of family gatherings at home.

Secondly, it is indispensable that the Governments represented should take ample cognisance of the labours of the Conference and of the proposals advanced, in order to examine carefully the attitude which they wish to take.

Finally, and this above all justifies the delay proposed, there is the desire of the United States of America, at whose instance the Conference was convoked. You are not unaware, gentlemen, that in consequence of the natural play of American political institutions the present Government will yield in some months to a new Government. It is not until the fourth of next March that the change will take place, and some time will be necessary for the new President to re-organise the Government.

The new officers will have to examine what has been done by their predecessors before drawing up in their turn the instructions to be given to the Delegates who will represent them.

The proposed interval is therefore amply justified.

I am authorised to state, in the name of the Government of His Majesty, that just as it was happy to accept the invitation of the President of the United States of America, and to offer you its hospitality during this first period of your labours, it will be no less happy to see the Conference meet again at Brussels in the course of the next year.

In accepting that offer you will give, gentlemen, a special distinction to Belgium, for which she will certainly show itself grateful.

As the Minister of Finance said, in inaugurating our Sessions, "We are only your hosts, but we are happy to be so."

Our country will be doubly happy if the rôle which circumstances have conferred upon her will permit us to say some day that we had contributed, in a modest way, to the realisation of a new advance in the path of international agreement for the common good.

BARON DE RENZIS (*Delegate of Italy*) spoke as follows:—

MR. PRESIDENT AND GENTLEMEN,

As you have just heard, I have had the honour of laying upon the table a proposal for the adjournment of the Conference. It has seemed to me that, in the

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present state of our discussions, and in view of the conclusions of the Committee which we appointed, we cannot hope for an immediate agreement upon any definite proposal.

The public, and perhaps even some of ourselves, in commenting upon our work and seeing how short a road we have travelled, might think that this Conference could result only in failure like all the Monetary Conferences which have preceded it.

Permit me to say frankly that such is not my opinion. Our Sessions have been numerous; the investigations made have been long and serious, and if no solution has crowned our work, that is no reason why we should doubt the final result. There is in the Assembly a sincere desire to reach a tangible result.

In the first place this Conference differs from others by the number of Powers which are represented. It was not merely from courtesy that countries which are, as one might say, without interest in the question, have sent Delegates of recognised economic competence.

There have been numerous reserves, but there have been also declarations which should be of great value in our eyes. I do not allude to the speeches of the representatives of bi-metallic countries, whose approval of our work was natural, but when I hear, for instance, his Excellency the Delegate of Austria-Hungary make statements full of good will; when I see the Delegates of Russia, a country which, by its geographical position, by the conditions of its circulation, and by the enormous stock of 2,418 million francs in gold which it owns, is enabled to regard with an indifferent eye any perturbations in the commercial value of silver; when I see, I say, the Delegates of Russia bring us the assistance of their talent and their zeal, I say frankly that we need not despair of the cause with which we are occupied.

Is any agreement, any convention, impossible? And why? Need I recall the very interesting declarations made by the British Delegates?

Sir Charles Fremantle and Sir Rivers Wilson have said to us: "Her Majesty's Government could not view with indifference the drawbacks resulting from the fall of silver," and "England has accepted the invitation to consider what measures could be adopted for the purpose of increasing the use of silver . . . There is a danger in sight; otherwise there would be no justification for our presence here."

They have told us that we should study with the greatest care all the plans which might be proposed with the purpose of insuring an increased circulation of silver, and they gave us the assurance that if there were a considerable number of States ready to adopt a resolution, they would do their best to present that resolution to the Government of the Queen.

In the mouths of men so competent as the Delegates of England these declarations have a value which should be appreciated. They are not the empty words of courtesy, they are not declarations of a platonic and therefore barren affection. No, they were careful to say that if we did not touch their monetary law and the fundamental principles of their currency, they would be glad to aid us and to take part in a solution.

Is there need to recall what was said by the French Delegation, whose declarations have already been mentioned at this meeting by our honourable President?

In the speech of Mr. Tirard there was a certain regret that the proposal of Mr. de Rothschild had only lived for one morning. One might believe that if this proposal had been amended and rendered more equitable, we could have counted upon the co-operation and upon the good will of France.

Well, gentlemen, why have we arrived at no result thus far? Because frankly no proposal was ripe; they were improvised, so to speak, for the needs of our discussion. What could we do without preparation, without precise instructions from our Governments?

In these conditions an adjournment is desirable. Let us in the first instance give the Governments time to gain a knowledge of our discussions and of the speeches of the eminent Delegates from all countries of the world. In six months it is possible that in returning here we shall find ourselves face to face with more mature and more practical proposals.

We have planted a fertile germ; give it time to develop and to grow. We know already that in a new meeting there will be no question of discussing principles. Our Latin ancestors said in such circumstances: *Roma locuta est*. Now that all has been said we know with what we have to count. Each wishes to stay in his entrenchments, and we must not hope that the mono-metallists will yield any more than the bi-metallists. But we know their respective tendencies and that is a great deal. We can see clearly ahead.

We know that the resolutions to be taken must not affect principles. We must limit ourselves to a compromise.

The proposal to be made will be *practical* or it will not be adopted. It may be experimental, it may be transitory. It will be an agreement between the Governments, a parallel agreement, leaving each its independence; but everybody sees that we can arrive at the desired solution if an effort is made on both sides. Neither the right nor the left will prevail, neither the one nor the other; but recollect that Macaulay said that truth is found between two extremes.

A small sacrifice by each of us will lead to a result more important than we may suppose.

The Latin Union is an instance. What is the Latin Union? In substance it is the result of small concessions made by five States which have agreed together in view of the common interest. The interests of some are at times opposed to the interests of the rest; but all the States recognise that the total advantage which they gain from it is greater than the sacrifices imposed upon each of them.

I will only speak of a country which I know somewhat better than the others, Italy. While in the Latin Union, France, for instance, has fifty francs in five-franc pieces per head, and Belgium has seventy, Italy has only twelve. With the conditions of our circulation and the progressive increase of our population our interests would naturally be to have perhaps a certain liberty of limited coinage. But no, Italy is careful not to detach herself from her monetary allies; the advantages of an understanding with her neighbours are a compensation for the sacrifices which it implies.

In opening our Conference, the eminent Minister of Finance of Belgium expressed the wish that the Latin Union might some day be a basis and an example for the other nations.

Frankly, I have no hope of seeing that day. But I believe the example of the Latin Union may be useful. It will perhaps induce other Governments to examine whether there is not ground for an agreement with this nucleus already constituted.

Before concluding allow me to note a somewhat significant fact. From all sides in this Assembly,—and this follows from all the speeches which have been made, whether it was stated openly or merely alluded to,—all eyes are turned towards England. It is plain that England is recognised as filling a preponderant rôle in this question. Every one expects that that great country should give the good example which we hope to see. The speeches of many Delegates had the appearance of reproducing an historic phrase. In this struggle for the rehabilitation of silver, everybody in fact seemed to say, "*Messieurs les Anglais, tirez les premiers.*"

Since England is the first market of the world, it is from England that the first gleam of hope should come. And if that venerable king of the world, called Silver, should be exiled, like an old king who is inconvenient and out of fashion, let me express the hope that in respect for the services which it has rendered humanity, we should at least render its fall peaceable and free from commotion and catastrophe.

I have the honour, gentlemen, to propose that the Conference do adjourn until the end of the month of May.

The President read the text of the resolution laid upon the table by Baron de Renzis. The resolution is as follows:—

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Baron de
Renzis.

"The International Monetary Conference,—

"Recognising the great value of the arguments which have been developed in the reports presented and in the discussions at the meetings, and

"Reserving its final judgment upon the subjects proposed for its examination,

"Expresses its gratitude to the Government of the United States for having furnished an opportunity for a fresh study of the present condition of silver.

"The Conference suspends its labours and decides, should the Government approve, to meet again the 30th of May 1893.

"It expresses the hope that during the interval the careful study of the documents submitted to the Conference will have permitted the discovery of an equitable basis for an agreement which shall not infringe in any way the fundamental principles of the monetary policy of the different countries."

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MR. ALLISON (*Delegate of the United States*) spoke in English as follows:—

Motion for
adjournment.

MR. PRESIDENT AND GENTLEMEN,

It is gratifying to me to learn from his Excellency the Minister of Italy, and from other expressions that I have heard, that the Conference thus far has made progress in the direction of a partial, if not a final, settlement of the difficulties that surround our metallic money.

One great impression made upon me is that, in the course of our debates here, no one has suggested that either one of the metals should be absolutely discarded, all agreeing that in some form these two metals may be useful in exchanges, and, as a rule, for measuring value. This being so, I think we can very well, for the time being, discard what may be called the principles upon which we are divided, and following in the line of the suggestion of his Excellency the Minister of Italy, and also the suggestions made by our distinguished presiding officer, we should have time to draw together in one form many of the suggestions that have been made here; as, for example, what nations are willing to adopt the plan suggested in the very beginning by Mr. de Rothschild as respects the amount of silver bullion they will take, and the use they will make of this bullion when taken. The United States has on this subject given you an example which you may not like to imitate, but which may be worth studying. The Latin Union has shown how easy it is to have a concourse of nations, as respects its money. Now, we have been here, it is true, but a brief time. I think the discussions have been of great value, not only to those who have heard them, but to our respective Governments, as showing how great the difficulties are, and how important it is that in some form they should be materialised into mutual concessions, as respects the widely different opinions. Now, that being so, it seems to me wise for us to continue our deliberations. That seems to me impossible now, because, as our President has already stated, the members here feel that they must go to their homes to participate in the holiday festivities of the season. That being so, it seems to me we must take a recess now. If we are to do so, I concur in the views expressed already, that time should be given for our Governments to study, with care, the various suggestions that have been made here, and the projects presented, and that they should also have time carefully to consider them, and to make recommendations upon some or all of them, or suggestions growing out of them. Time is necessary, therefore, and I approve of the time suggested—and should have been glad if it had been even a little longer—by the Minister of Italy.

I do not know that I should say what I am about to say personally to the Conference, as respects our own situation. I know that should not weigh with the Conference, but, as is well known to you all, our Government undergoes a complete change on the 4th of March, and at that time one of the two Houses now in existence will pass away, and the other will change its majority, and the Democratic Party will have control of the legislative and executive branches of our Government. Now, it seems to me that if this Conference shall come to an agreement, it will probably come to some understanding far short of what our recommendation will be; but in doing so, it will naturally be expected—certainly if the propositions which have been made here are an index—that we shall make some large concessions, and if so, it is but natural that those who are to have the responsibility shall also have the direction, and on that ground it will be of advantage to the United States that adjournment shall be to as late a period as will enable our new Government to consider that which has been done here. I think I can speak for my colleagues in saying that we heartily consent to the suggestion that has been made by the Minister of Italy, and to other suggestions that have been made, and I shall be glad to have the adjournment to the day named in the Resolution.

We have some hesitation in further intruding on the hospitality of Belgium, but after the statements made by our President, I think we can all feel that we are as cordially received here as I know we are hospitably entertained.

Mr. Bertram
Currie.

MR. BERTRAM CURRIE (*Delegate of Great Britain*) made the following speech in English:—*

It may seem ungracious to raise any objection to the adjournment which has been proposed; and if I do so it is rather with the view of saying a few parting words in my individual and private capacity than from any intention of calling for a vote on the question; but it must not be forgotten that the Conference of 1881 still remains

* This speech is printed here in the terms in which it was actually delivered in English. It differs, in a few phrases, from the French version handed in by Mr. Currie and printed in the Official Minutes.

adjourned, and if during the eleven years which have elapsed since that time it has not been found expedient to summon it, what prospect have we, the Delegates of 1892, of a speedier re-union?

Three times the Delegates of various nations have met at a Monetary Conference. On each occasion, they have exhausted their ingenuity in devising plans for the increase of silver money, and thrice they have been compelled to separate without accomplishing or even advancing the object which they had in view. Has not the time arrived when, as men of the world, and some of us men of business, we should recognise the fact that the task which was set to them was impossible? Would it not be wiser, instead of postponing our decision, to declare plainly to our bi-metallic friends that the plan which they advocate is no cure for the ills of which they complain; so that, abandoning vain imaginings and illusive visions which can never become realities, they may turn their attention to some possible alleviations of their distress?

It would be presumptuous in me to indicate the quarter to which their inquiries should be directed; but unless I am greatly mistaken, the malady which affects them is political rather than financial.

The world is not suffering from a penury of gold, but from the loss of its savings through hazardous investments, from exaggerated tariffs which destroy and hamper trade, from heavy taxation, and above all from the many unproductive consumers of its wealth.

If there be any ground for the complaint which has been made in the course of our discussions, that gold if not actually scarce is difficult to be procured, it is explained by the fact that more than one of the great nations of Europe has accumulated gold in excess of financial requirements, and views with alarm and suspicion any diminution of its stock.

Reference has been made by some of the Delegates to the practice of the Bank of England, as well as of other banks of issue, with respect to gold, and our eminent colleague, Mr. Tirard, drew an interesting comparison between the stability of the rate of discount in France and the constant changes which have occurred in England.

It is not for me to criticise the action of the Banks of France or Germany, but I am confident that the Bank of England will never depart from the policy, which is indeed prescribed to it by law, of paying gold freely and without demur in satisfaction of all lawful demands.

The question that has been raised whether that Bank habitually holds a gold reserve sufficient to meet all emergencies is a fair subject of debate. If a larger stock be thought desirable it might perhaps be provided by the other banking institutions of London out of the large balances which stand to their credit in the Bank of England.

There was another remark which fell from Mr. Tirard which made a great impression upon me. I refer to the eloquent protest which he uttered against opening the mints of his country to unlimited coinage of silver, so as to compel France to receive from Mexico and the United States a commodity which she could never return to the countries from which it came, nor use for the payment of her debts or the satisfaction of her requirements.

Are not these words of Mr. Tirard the condemnation of silver as a fit medium of unlimited coinage? For how can any substance provide a good currency which will not pass current or be fit for circulation if it refuses to circulate?

It is a matter of indifference to me as a seller of goods or services whether I am paid in paper, in gold, or in silver money, but on this condition, that when in my turn I become a buyer, the money which I have received will be accepted without deduction in exchange for the goods or services which I require.

Tried by this test, silver has broken down. Nobody wants it for himself, but everybody desires to pass it on to his neighbour, like one of those coins of South American origin of which the unwary tourist is apt to find himself the possessor.

After the categorical and repeated declarations against free coinage which we have heard from the Delegates of France, Germany, and Great Britain, we should only delude ourselves if we did not admit that the question is closed.

Let the bi-metallists, supported in some degree by the high authority of my friend, Mr. Rothschild, and encouraged by the utterances of persons so competent in these matters as Archbishop Walsh and Mr. Chaplin, console themselves with predictions of the calamities and perils which are to follow as the result of our inaction. We will not venture upon the domain of prophecy, content to meet present difficulties as best we may, refusing to aggravate them by any attempt to interfere with the natural

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course and tendency of events, and leaving it to our successors, the Delegates of the twentieth century, to discuss and determine the monetary system of the future.

SIR RIVERS WILSON (*Delegate of Great Britain*) read the following statement:—

MR. PRESIDENT AND GENTLEMEN,

Our colleague, Mr. Currie, has already made a statement. The few words which I shall have the honour of addressing to you are spoken not only in my own name, but also in the names of my colleagues, Sir Charles Fremantle and Mr. de Rothschild. With reference to the proposal of his Excellency the Italian Minister for an adjournment, we wish to express very frankly our doubts as to the advantages offered by the course proposed. For nearly four weeks men of the highest competence, representing nearly all the Governments of the civilised world, have been engaged in an exhaustive discussion of the monetary question. If, after full debate, they have been unable to arrive at an understanding, or to agree on any uniform plan for meeting the difficulties which have been pointed out by the promoters of the Conference, is there any likelihood that we should be more successful after an interval of six months? It is no secret for you, gentlemen, that the Government of Her Majesty only entered upon this Conference with hesitation and under the greatest reserve; and it is quite possible that it may appear to the Government unnecessary to renew the mission which it has entrusted to its Delegates. It appears, however, that the great majority of the Delegates will support the proposal of our honourable colleague. If, then, the meeting of the Conference does really take place on the date named, it could not have any other purpose than the examination of a perfectly practical and explicit proposal brought forward by the Government of the United States, or by other Powers,—a proposal which would not violate in any way the principles laid down by his Excellency the Italian Minister at the end of his motion, that is to say, which would not interfere in any way with the fundamental principles which govern the monetary systems of the various States.

At the same time, while offering you this explanation, it becomes our duty to declare in the most formal manner that in any case—whether the adjournment be voted or not—the British Government reserves to itself the most complete liberty of action as regards its system of currency. General Strachey, who directly represents the interests of India in this Assembly, will make you a similar declaration, in which we join in the name of our Government.

Sir William
Houlds-
worth.

SIR WILLIAM HOULDSWORTH (*Delegate of Great Britain*) spoke in English as follows:—

MR. PRESIDENT AND GENTLEMEN,

I feel I ought to apologise for rising immediately after two of my colleagues and so intruding the British Delegation again upon the attention of the Conference on this matter. But as England has been referred to over and over again during these discussions as one of the great, if not the greatest, factors in the case, perhaps I may be permitted to say a very few words. I take a very different view as to this question of adjournment, and as to the position in which we stand, from that taken by any of my colleagues who have preceded me.

In the first place I must protest against certain statements in the declaration which has just been made by Sir Rivers Wilson. I deny altogether that the Government accepted the invitation to this Conference with hesitation or with reserve. No doubt the original invitation to consider the bi-metallic question alone (though I do not think this invitation was ever couched in precise terms) might not have been acceptable. I am quite free to admit that it is exceedingly probable that the Government of Lord Salisbury would have declined on practical grounds to join a Conference to consider that question alone. But I have a firm conviction that when the invitation was put in more general terms, and when it was thought that something practical might come from our deliberations, then there was no hesitation on the part of Her Majesty's Government. So far from any reserves being placed upon us, our instructions seem to me of the freest possible kind. They even went so far as to charge us to study with the greatest care any plan that may be submitted for our consideration before coming to the conclusion that matters must be left as they are.

I can add very little to the arguments used by the Italian Minister in favour of an adjournment. But there is another sentence in the declaration which has just been made by Sir Rivers Wilson. I do not agree with the suggestion that we ought not to meet

again unless some one definite plan is put before us by the United States, and that we should bind ourselves to discuss that and nothing else. Now, I think no more unfortunate suggestion than that could have been made. I have gathered the general opinion of this Conference with one exception—I think my friend Mr. Bertram Currie is that exception—to be that the circumstances of the time demand a remedy of some sort, in order that industry may be freed from the burdens and difficulties under which it groans. I also gather that there is a general opinion that there has been an appreciation of gold, in other words that there is not a sufficient quantity of gold to maintain the level of prices, and that under present conditions the level of prices will probably fall, and that a further fall would be a disaster. I frankly admit that in my opinion there will never be a permanent solution of this difficulty until we have an international bi-metallic agreement. But I would be glad to accept, as the United States has said, any temporary solution of the question even short of bi-metallism which promises in any degree to mitigate the position in which we stand. Certainly any solution of the question which would promise something more than a mitigation, say, which would promise a settlement even for 10, 15, or 20 years, I should hail with the greatest delight. Well, there have been before our Committee five plans, and it seems to me that if we had continued our sittings for a few days longer, these five plans would probably have become five-and-twenty. But of these plans some are absolutely not formulated in such a manner that we can thoroughly understand them in all their bearings, nor are they in a state to be discussed. Under these circumstances it appears to me it is our plain duty to adjourn, and at a future time to take up these plans which have been presented in perfect good faith, and to endeavour to come to some decision upon them. I do not believe that there is any permanent solution except one. But I think I foresee this, that any temporary solution, or palliative solution which will be of any benefit whatever to the industrial world, will not be found in any one plan which may be suggested, but in a combination of different plans. I believe a solution of some value may be found in a compromise of a number of plans. I defy anyone to bring forward any one plan which will be at once accepted as a settlement of this question. We ought to meet again. Our Committee should again sit, and should carefully consider these plans with any others which may be brought forward. I trust that by next May we shall have more light, and I think Mr. Currie will be astonished in a very short time at the progress which this question will make in England among the great masses of the industrial and commercial classes. Of course the bankers of England and the Government may remain obstinate, but I do not think that the people of England will quietly and patiently continue to suffer from the dangers and difficulties which they are now enduring or which certainly come upon them if nothing be done.

I most heartily support the proposal for the adjournment. As a bi-metallist I have been thoroughly satisfied with the progress which has been made in these discussions. It is quite as much as I expected. I believe that we have made much progress already, and that there is a deepening conviction that upon the solution of this question depends the prosperity and happiness of all the commercial countries of the world.

MR. RAFFALOVICH (*Delegate of Russia*), speaking personally and without pledging the opinion of the Imperial Government, said that he had heard with great surprise the sceptical declaration which had been made by Sir Rivers Wilson for himself and for Sir Charles Fremantle and Mr. de Rothschild. It should not be forgotten that Sir Rivers Wilson and the Director of the English Mint were high officials, while Mr. Bertram Currie represented the views of a very considerable portion of the City. This being the case the statements of the English Delegates were like a dash of cold water. They would have to bear the responsibility for the consequence of the words that they had uttered. It would have been more logical perhaps to go to the end and to vote against the adjournment.

GENERAL STRACHEY (*Delegate of British India*) made the following declarations:—

GENTLEMEN,

On the part of the Delegates of India I wish to inform you that I am instructed to state in a formal and decisive manner that during any adjournment of the Conference the Indian Government remains absolutely free to act as it may deem necessary so far as its monetary system is concerned.

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Motion for
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Sir William
Houlds-
worth.

Mr. Raffalo-
vich.

Declaration
by General
Strachey.

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SIR GUILFORD L. MOLESWORTH (*Delegate of British India*) spoke in English as follows:—

Motion for
adjournment.

Sir G.
Molesworth.

MR. PRESIDENT AND GENTLEMEN,

I most heartily and unreservedly support the resolution of the honourable Delegate of Italy, and I quite agree with Sir William Houldsworth that this Conference has achieved a success as far as it has gone. I came to this Conference fully expecting that it would be without practical result, but I think I should be expressing the opinion of those who wish to see silver rehabilitated if I say that the result is very encouraging, and that it would be a most flagrant dereliction of our duty if we were to stop the Conference at this point, for I believe that its proceedings will be productive of very satisfactory results. From a private letter which I have received from England I find that there is a great interest excited there, that many who have hitherto considered the monetary question an abstruse question are now beginning to look into it, and that it is producing among the financial classes of England very great interest. But although some of the London newspapers have suppressed to a certain extent those opinions which are opposed to their views, the financial and provincial journals have taken up this question with very great interest, and I believe that the next few months will witness a very great revulsion of feeling in England, and will materially aid to a satisfactory solution of these present difficulties which oppress us.

Mr.
McCreary.

MR. McCREARY (*Delegate of the United States*) spoke in English as follows:—

MR. PRESIDENT AND GENTLEMEN,

I desire to speak briefly on the motion made by his Excellency the Minister of Italy.

The President of the United States of America proposed this International Monetary Conference, in accordance with an Act of Congress which declared "that the object of the Conference is to secure internationally a fixity of relative value between gold and silver as money by means of a common ratio between those metals with free mintage at such ratio."

I came here therefore, with the other Delegates of the United States, to cordially and earnestly endeavour to promote the great object so tersely and forcibly expressed in the Act of Congress.

At the commencement of my remarks, I wish to express the gratification I feel on account of the goodwill and friendly feeling which have been so conspicuous here. I believe we will all have pleasant recollections of the Conference, and of the courtesy and hospitality so graciously extended to us. To the distinguished President of the Conference I extend my hearty congratulations for the impartiality and ability with which he has discharged his duties, and the promptness and efficiency of the other officers of the Conference make them worthy of our thanks and commendation.

Although no definite action has been taken by the Conference, interesting plans have been presented, concessions have been made, candid and amicable discussions have been participated in, valuable information has been disseminated, the gravity of the monetary situation has been admitted, and a wholesome interest aroused among Delegates representing hundreds of millions of people. I believe the Conference of 1892 has been important and instructive to the world, and I hope it has opened the way for good results in the future.

Scarcely a month has elapsed since we first assembled. The great and important monetary problems which now confront civilised nations cannot be quickly solved. They require careful, laborious, patriotic efforts. Important propositions have been presented which have not been discussed or considered by the Delegates, and other propositions which have been discussed have not been finally decided. If Delegates from other countries think the Conference should meet again, I believe we who represent a country whose invitation was so promptly and cordially accepted when the Conference was proposed, should consent.

The expressions made in favour of another meeting of the Conference are very encouraging. Important Sessions of Parliament and of Congresses will be held in the next few months. In my country a new administration will take charge of the Government on the 4th of March next, and then such action regarding this Conference as seems proper can be taken. The importance and the difficulties of the monetary situation demand serious attention, and the unanimity with which the members of the Conference support the proposition to meet again May 30th, 1893, proves their earnest desire that every proper effort shall be made to improve the situation.

MR. ALLISON (*Delegate of the United States of America*) made the following declaration in English :—

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I only wish to say a word in regard to the reserves made by General Strachey and others. As I understand it there is no Government which is bound in the least as respects its monetary policy during the adjournment. I think that all the Governments—the United States certainly so consider it—reserve an absolute independence as respects their monetary policy until a monetary union shall be prepared.

Motion for
adjournment.

Mr. Allison.

COUNT KHEVENHÜLLER METSCH (*Delegate of the Governments of Austria and of Hungary*) expressed himself as follows :—

Count
Khéven-
hüller
Metsch.

The Governments, which I have the honour to represent here have no objection to make to the terms of the proposal for adjournment made by his Excellency the Minister of Italy.

After the declaration of Sir Rivers Wilson and General Strachey, I had proposed to ask for my Governments the same liberty of action ; but after the very amiable and conclusive words which Senator Allison has just pronounced, it is absolutely superfluous to make any special reserves.

CARATHEODORY EFFENDI (*Delegate of Turkey*) spoke as follows :—

Votes of
thanks.

MR. PRESIDENT AND GENTLEMEN,

After the eloquent words of our honourable President at the beginning of the Session, let me hope that, in spite of certain prognostics which we have just heard, we shall not say "*adieu*," but "*au revoir*," when we leave to-day the hall in which we meet.

Caratheo-
dory Effendi.

However ill-qualified I may be, and however modest has been my part in this Conference, permit me, gentlemen, to mention a fact which dominates all others.

We have not had, it is true, a definite result. Was such a result to be anticipated ? Is it not, above all, in arduous tasks such as that which has been submitted to this international assembly, that the old adage *Festina lente* has its most perfect application ?

The eloquent speeches which we have heard during the course of our debates from the representatives of the Old and New World who sit amongst us, speeches in which the different aspects of scientific theory have been learnedly and brilliantly developed ; the indication of various remedies required by the situation ; the ingenious and lucid exposition of these very complex monetary questions ; these form already an important record, of which none will contest either the high scientific value or the real practical importance.

Our respective Governments will without doubt give all care to examine, as is fitting, the entirety of our work before our approaching meeting, and it only remains for us to hope that a ground for an acceptable international agreement will be found, fitted to give satisfaction to all the interests in question in a manner to insure the general good.

In separating, after the first stage of our labours, there remains, gentlemen, an agreeable duty to perform, and I consider myself particularly fortunate in being called to the honour of performing it in the name of all our colleagues, as the senior among the diplomatic members of the Conference.

We all desire to repeat again the expression of our gratitude to His Majesty the King of the Belgians and to his Government, which has already been done in such excellent terms at the opening of our deliberations by our very distinguished colleague from the United States.

The hospitality of this noble country has been what it always is, ample, gracious, and impressed with that kindness which has so long been customary in Belgium. We shall carry away the best and most grateful remembrance of it.

But the tribute of our warmest and most sincere thanks belongs by right especially to him who has conducted with the most complete courtesy and impartiality our long Sessions and our laborious work, and whose thoughtful and amiable attentions have been extended to us even outside of this chamber. I hope, Mr. President, that you will accept on the part of all of us the expression of our most friendly and cordial feeling.

It is equally the unanimous desire of this high Assembly that I should speak for them in proposing, gentlemen, to add at the same time our thanks to the General

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Votes of
thanks.

Mr. de
Foville.

Secretary, who has so faithfully performed at all times the delicate and difficult functions with which he was charged, as well as the Secretaries who have efficiently seconded his efforts.

MR. DE FOVILLE, in the absence and in the name of the first Delegate of France, desired to join in the word of thanks which the honourable Delegate of Turkey had addressed to the Belgian Government and to the President of the Conference and the Secretaries. He felt that he was the interpreter of all in expressing his lively gratitude for the hospitality which the members of the Conference had received in the Belgian capital.

Count
Alvensleben.

COUNT ALVENSLEBEN (*Delegate of Germany*) expressed himself as follows :—

MR. PRESIDENT AND GENTLEMEN,

Speaking in the name of the Delegates of Germany, I wish to join in the expression of gratitude which has been addressed to the Government of the United States in the resolution proposed by the Minister of Italy, for having taken the initiative in our meeting, whose object was to study anew a question of the highest importance.

We fulfil an agreeable duty in adding our thanks for the kindly and hospitable reception of which the august Sovereign of Belgium and his Government have given us so many evidences.

As I have had the honour to state before, the Imperial Government takes a most lively interest in the labours of the Conference. We have made it our duty to follow them with the most serious attention in order to report them conscientiously; and I do not hesitate to express the conviction that the Imperial Government will submit the propositions which have been made in the course of our deliberations to a most careful examination.

Regulating our conduct by our instructions, which prescribe a strict reserve, we do not think that we can depart from them in the present case by taking part in the resolution for the adjournment of the Conference until May 30th, 1893, in order to reserve for our Government its complete liberty of action.

THE PRESIDENT noted that no one had proposed the dissolution of the Conference.

He invited the Assembly to come to a decision upon the resolution presented by his Excellency the Minister of Italy.

The resolution was adopted.

The Presi-
dent.

THE PRESIDENT spoke as follows :—

GENTLEMEN,

You will surely pardon me if feelings which you will understand and which are perfectly natural, render it impossible for me to express as I should like the thanks which from the bottom of my heart I should utter for the kindly words which have been spoken by his Excellency Carathedory Effendi and which other speakers have reiterated.

I cannot say how much I am flattered or how pleased and grateful I am for the appreciation, far greater than I deserve, which, with extreme indulgence, you have expressed for the efforts I have made to conduct your debates.

As I said when our labours commenced, it was a great and unexpected honour to be called to conduct the debates of this Assembly in which so many nations were represented by men filling the highest positions, and by the *élite* of their men of science and their economists. I have done what I could, and you have been too indulgent in your appreciation of my efforts.

For myself I shall carry away from the Conference a profound gratitude towards you all, and a very lively hope to see you as Delegates again at this Conference; and permit me to add, if the fear expressed by some of the Delegates of Great Britain should be realised, if we should not meet again here,—which I should profoundly regret,—I shall hope to see you again as friends. Permit me also, gentlemen, in the name of my Government to thank you for your kind words in regard to the hospitality of Belgium. We were happy to offer you that hospitality, and be assured of it, we shall be happy again to receive you here to continue your labours.

I shall have the honour of transmitting to His Majesty and to his Government the expression of the sentiments of the Conference.

I would thank you for your kinds words in the name of our General Secretary, who has devoted himself completely and absolutely to the task confided to him, and has performed it with as much ability as zeal; and I would thank you also in the name of all the Secretaries. I am glad that it is from you that these words have come which testify that you have appreciated the zeal and activity with which those gentlemen have filled their office.

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Votes of
thanks.

The Presi-
dent.

I think I should fail in my duty if I did not embrace this opportunity to thank in the name of the Conference our colleague, Mr. Raffalovich, for the constant services which he has rendered with so much good grace as interpreter, and with so much activity and intelligence as a Secretary of the Examining Committee. Once more, gentlemen, thanks, and I add, with his Excellency Caratheodory Effendi, *au revoir* and not *adieu*.

SIR WILLIAM HOULDSWORTH asked that notice of the adjourned Meeting might be given to the various Governments two months before the 30th of May, or at such other period as would give the Governments sufficient time to take the necessary steps.

Arrange-
ments during
adjournment.

THE PRESIDENT stated that a note should be made of the wish expressed by Sir William Houldsworth.

That wish was connected with a question which the President submitted to the Conference in these terms:—

The *Bureau* of the Conference continues in existence, but it may exist in fact or in form only. You will without doubt be of the opinion that it is useful for it to exist in fact; that is, to be, if necessary, a means of communication between the Delegates.

I will take an example: Suppose some Delegate formulates a proposal which he deems might be accepted by the Conference and that he sends it to the President. It will be communicated to the *Bureau*, translated if necessary, printed and distributed to the Delegates. In this way the *Bureau* will fulfil a useful function.

(Agreed.)

It was agreed further that the Minutes of the Ninth and Tenth Sessions should be considered as approved by the Conference, it being understood that the Secretary would secure the assent of those Delegates who had taken part in the discussion.

The Session adjourned at noon.

LIST OF DOCUMENTS

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- F. A. A. (Member of the London Chamber of Commerce).—How to establish a fixed ratio between Gold and Silver. London, Effingham Wilson, 1892.—24 pages.

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- —Mr. Alfred de Rothschild's Scheme for the immediate future of Silver. (*The Railway Times* for December 3rd, 1892.)
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NOTE

FROM THE

BELGIAN MINISTER IN LONDON

RELATIVE TO THE

MONETARY CONFERENCE.

*Presented to both Houses of Parliament by Command of Her Majesty.
January 1894.*

LONDON:

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Note from the Belgian Minister in London relative to the
Monetary Conference.

No. 1.

Baron Solvyns to the Earl of Rosebery.—(Received November 25.)

M. le Comte, *Légation de Belgique, le 23 Novembre, 1893.*
MON Gouvernement a reçu de Washington un télégramme portant que
“le Président des États-Unis ne croit pas de son devoir, dans les circonstances
actuelles, de demander que la Conférence Monétaire soit convoquée.”
Je suis, en conséquence, chargé de faire part de cette information au
Gouvernement de la Reine.

Je saisis, &c.
(Signé) SOLVYNS.

(Translation.)

M. le Comte, *Belgian Legation, November 23, 1893.*
MY Government has received from Washington a telegram stating that
“the President of the United States does not feel called upon in present
circumstances to ask that the Monetary Conference should be convoked.”
I am accordingly charged to make known this information to the
Queen's Government.

I avail, &c.
(Signed) SOLVYNS.

COMMERCIAL. No. 1 (1894).

NOTE from the Belgian Minister in London
relative to the Monetary Conference.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. January 1894.*

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R E T U R N

OF

MOST-FAVOURLED-NATION CLAUSES

IN EXISTING

TREATIES OF COMMERCE AND NAVIGATION

BETWEEN

GREAT BRITAIN AND FOREIGN POWERS,

STATING THE PERIOD WHEN TERMINABLE; AND SHOWING
WHETHER THEY APPLY TO THE BRITISH COLONIES:

IN FORCE ON THE 1ST AUGUST, 1893.

*Presented to both Houses of Parliament by Command of Her Majesty.
December 1893.*

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RETURN of Treaties of Commerce and Navigation between Great Britain and Foreign
Powers in force on the 1st August, 1893.*

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"	5 Dec., 1876	Commerce	2
Belgium	23 July, 1862	Commerce and Navigation	3
"	30 Aug., 1862	Cotton Yarns	4
Bolivia	29 Sept., 1840	Commerce and Navigation	4
Borneo	27 May, 1847	Commerce and Navigation	6
Bulgaria	26 Nov., 1889	Commerce	6
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China	26 June, 1858	Commerce and Navigation	9
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† See note, p. 48.

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RETURN of all Treaties of Commerce and Navigation between Great Britain and Foreign
whether or not they provide "most-favoured-nation" treatment, and the terms by

Country.	Date.	Subject.	When Terminable.					
ARGENTINE CONFEDERATION	Feb. 2, 1825	Commerce and Navigation	No time fixed ..	..	..	..	..	..
" ..	July 10, 1853	Free Navigation of Rivers Paraná and Uruguay	No time fixed ..	..	..	..	..	..

Powers which are now in force, stating the date of each and the period when terminable; which such treatment is stipulated for, and how far they apply to British Colonies.

Most-favoured-nation Treatment.	If applicable to British Colonies.
<i>Imports and Exports. Produce and Manufactures.</i> No higher or other duties shall be imposed on the importation into the territories of His Britannic Majesty of any articles of the growth, produce, or manufacture of the United Provinces of Río de la Plata; and no higher or other duties shall be imposed on the importation into the said United Provinces of any articles of the growth, produce, or manufacture of His Britannic Majesty's dominions, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country; nor shall any other or higher duties or charges be imposed in the territories or dominions of either of the Contracting Parties on the exportation of any articles to the territories or dominions of the other, than such as are or may be payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed upon the exportation or importation of any articles the growth, produce, or manufacture of His Britannic Majesty's dominions, or of the said United Provinces, which shall not equally extend to all other nations. (Article IV.) <i>Lading and Unlading of Ships. Safety of Merchandize, &c. Disposal of Property, &c. Justice. Imposts</i> In whatever relates to the lading and unlading of ships the safety of merchandize, goods, and effects, the disposal of property of every sort and denomination, by sale, donation, or exchange, or in any other manner whatsoever, as also the administration of justice, the subjects and citizens of the two Contracting Parties shall enjoy, in their respective dominions, the same privileges, liberties, and rights as the most favoured nation, and shall not be charged, in any of these respects, with any higher duties or imposts than those which are paid, or may be paid, by the native subjects or citizens of the Power in whose dominions they may be resident. (Article IX.) <i>Free Navigation of Rivers Paraná and Uruguay.</i> The Argentine Confederation, in the exercise of her sovereign rights, concedes the free navigation of the Rivers Paraná and Uruguay, wherever they may belong to her, to the merchant-vessels of all nations, subject only to the conditions which this Treaty establishes, and to the regulations sanctioned, or which may hereafter be sanctioned, by the national authority of the Confederation. (Article I.) If it should happen (which God forbid) that war should break out between any of the States, Republics, or Provinces of the River Plate or its confluent, the navigation of the Rivers Paraná and Uruguay shall remain free to the merchant flag of all nations, excepting in what may relate to munitions of war, such as arms of all kinds, gunpowder, lead, and cannon-balls. (Article VI.) The principal objects for which the Rivers Paraná and Uruguay are declared free to the commerce of the world being to extend the mercantile relations of the countries which border them, and to promote immigration, it is hereby agreed that no favour or immunity shall be granted to the flag or trade of any other nation, which shall not equally extend to those of Her Britannic Majesty. (Article VIII.)	<i>Subjects. Commerce and Navigation.</i> His Majesty the King of the United Kingdom of Great Britain and Ireland engages, further, that in all his dominions situated out of Europe, the inhabitants of the United Provinces of Río de la Plata shall have the like liberty of commerce and navigation stipulated for in the preceding Article, to the full extent in which the same is permitted at present, or shall be permitted hereafter, to any other nation. (Article III.) <i>Import Duties, &c.</i> Applicable to British "territories and dominions." (Article IV.)

Country.	Date.	Subject.	When Terminable.
AUSTRIA-HUNGARY ..	Apr. 30, 1868	Navigation ..	The present Treaty shall remain in force from the exchange of the ratifications until the 31st December, 1877; and in case neither of the High Contracting Powers shall have notified the other, twelve months before the expiration of the said period, the intention to put an end to its operation, the Treaty shall continue in force for another year, and so on from year to year, until the expiration of a year counting from the day on which one or other of the High Contracting Parties shall have announced its intention to put an end to it. (Article VI.)
" ..	Dec. 5, 1876	Commerce ..	The duration of the Treaty of Commerce concluded between Great Britain and Austria-Hungary on the 5th December, 1876, shall be prolonged indefinitely, with the reservation that both the Contracting Parties are at all times entitled to denounce the same. In case one of the two Contracting Parties should notify its intention to put an end to the operation of this Treaty, it shall remain in force for the term of one year from the date upon which the notice shall have been given. (Declaration, 26th November, 1877.)

Most-favoured-nation Treatment.

Ships and Cargoes. Commerce and Navigation.

British ships and their cargoes in all the dominions of His Imperial and Royal Apostolic Majesty, and ships belonging to the citizens of the Imperial and Royal States and their cargoes in all the dominions of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, from whatever place arriving and whatever may be their place of destination, and whatever may be the place of origin or destination of their cargoes, shall be treated in every respect as national ships and their cargoes.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

It is, however, agreed that this stipulation shall not be applicable to the national fisheries of either of the two countries. (Article I.)

Subjects. Commercial Privileges. Imposts.

The subjects of His Imperial and Royal Apostolic Majesty who reside temporarily or permanently in the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, and the subjects of Her Britannic Majesty who reside temporarily or permanently in the Austro-Hungarian Monarchy, shall enjoy therein during the continuance of this Treaty, with respect to residence and the exercise of commerce and trade, the same rights as, and shall not be subjected to any higher or other imposts than, the subjects of any third country the most favoured in these respects. (Article I.)

Import Duties. Produce and Manufactures.

The produce and manufactures of, as well as all goods coming from, Austria-Hungary, which are imported into the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, and the produce and manufactures of, as well as all goods coming from, British possessions, which are imported into the Austro-Hungarian Monarchy, whether intended for consumption, warehousing, re-exportation, or transit, shall therein, during the continuance of this Treaty, be treated in the same manner as, and in particular shall be subjected to no higher or other duties than, the produce and goods of any third country the most favoured in this respect. (Article II.)

Export Duties.

No other or higher duties shall be levied in the Austro-Hungarian Monarchy on the exportation of any goods to the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, or in the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, on the exportation of any goods to the Austro-Hungarian Monarchy, than on the exportation of the like goods to any third country the most favoured in this respect. (Article II.)

Transit of Goods.

The two High Contracting Parties likewise guarantee to each other treatment on the footing of the most favoured third country in regard to the transit of goods through the territory of the one from and to the territory of the other. (Article II.)

Favours, Immunities, and Reductions in Tariff.

Every reduction in the Tariff of import and export duties, as well as every favour or immunity that one of the Contracting Parties grants to the subjects and commerce of a third Power, shall be participated in simultaneously and unconditionally by the other. (Article III.)

If applicable to British Colonies.

Ships and Cargoes.

The stipulations contained in the preceding Article are also to be applied to the Colonies and foreign possessions of Her Britannic Majesty, as well as to the ships and cargoes of the same.

Coasting Trade.

But, as regards the coasting trade, only in those Colonies and foreign possessions the coasting trade of which shall have been, or shall be hereafter, opened to foreign ships, in conformity with the Acts of Parliament which govern this matter. The foreign possessions and Colonies of Her Britannic Majesty the coasting trade of which has been already so opened to foreign ships, and in which therefore ships belonging to the citizens of the Imperial and Royal States are placed on the national footing are:—British India, Ceylon, Cape of Good Hope, Victoria, St. Lucia. (Article II.)

Subjects. Import Duties, &c.

Applicable to "Colonies and foreign possessions" of Her Britannic Majesty. (Articles I to III.)

Country.	Date.	Subject.	When Terminable.
AUSTRIA - HUNGARY (continued)	Dec. 5, 1876	Commerce	.. .. .. .. ..
BELGIUM	July 23, 1862	Commerce and Navigation	The present Treaty shall continue in force for ten years, dating from the tenth day after the exchange of the ratifications.* In case neither of the two High Contracting Parties should have notified, twelve months before the end of the said period, its intention to terminate the Treaty, it shall remain in force until the expiration of a year dating from the day on which either of the High Contracting Parties shall have given notice for its termination. The High Contracting Parties reserve to themselves the right to introduce into the Treaty, by common consent, any modifications which may not be at variance with its spirit or principles, and the utility of which may be shown by experience. (Article XXV.)
			* August 30, 1862.

Most-favoured-nation Treatment.

Exceptions : Turkish Trade, Frontier Traffic and District Privileges, Customs Union.

The stipulations of the foregoing Articles I to III, relative to the reciprocal treatment on the footing of the most favoured third country, shall not apply—

1. To those special and ancient privileges which are accorded to Turkish subjects for the Turkish trade in Austria-Hungary.

2. To those advantages which are or may be granted on the part of the Austro-Hungarian Monarchy to the neighbouring countries solely for the purpose of facilitating the frontier traffic, or to those reductions of, or exemptions from, customs duties which are only valid in the said Monarchy for certain frontiers, or for the inhabitants of certain districts.

3. To the obligations imposed upon either of the High Contracting Parties by a Customs Union already concluded, or which may hereafter be concluded. (Article IV.)

It was declared by a Protocol of the same date as the Treaty that the stipulation contained in section 3 of Article IV only referred to the Customs Union between the Austro-Hungarian Monarchy and the Principality of Lichtenstein.]

Prohibitions.

Neither of the High Contracting Parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to the third country most favoured in this respect. (Article V.)

Subjects. Commerce and Navigation. Privileges, Favours, Immunities.

In all that relates to navigation and commerce, the High Contracting Parties shall not grant any privilege, favour, or immunity to any other country, which shall not be also and immediately extended to their respective subjects. (Article III.)

Transit and Warehousing Duties.

Goods of every kind coming from or going to either of the two countries shall reciprocally be exempted from all transit duty.

The prohibition in regard to gunpowder is, however, maintained ; and the two High Contracting Parties reserve to themselves to subject the transit of arms of war to special authorizations.

The treatment of the most favoured nation is reciprocally guaranteed to each of the two countries in all that concerns transit and warehousing. (Article XI.)

Import Duties. Produce and Manufactures.

Neither of the two High Contracting Parties shall impose upon goods the produce or manufacture of the other Party other or higher duties of importation than such as are or may be imposed upon the same goods the produce of any other foreign country. (Article XIV.)

Favours, Privileges, and Reductions in Tariff.

Each of the two Parties engaged to extend to the other any favour or privilege, or reduction in the Tariff of duties of importation or exportation, on articles mentioned, or not mentioned, in the present Treaty, which either of them may grant to any third Power. (Article XIV.)

Prohibitions.

They engage, moreover, not to establish against each other any duty or prohibition of importation and exportation which shall not, at the same time, be applicable to all other nations. (Article XIV.)

If applicable to British Colonies.

Coasting Trade.

With regard to the coasting trade in the Colonies, the stipulations of the present Article shall be applicable only to the coasting trade of such of the Colonies of Her Britannic Majesty as have applied or shall hereafter apply, in conformity with the Acts of Parliament which govern this matter, that their coasting trade may be open to foreign vessels. (Article XII.)

Import Duties.

Articles the produce or manufacture of Belgium shall not be subject in the British Colonies to other or higher duties than those which are or may be imposed upon similar articles of British origin. (Article XV.)

Country.	Date.	Subject.	When Terminable.
BELGIUM (<i>continued</i>) ..	July 23, 1862	Commerce and Navigation	.. .. .. .. ..
.. ..	Aug. 30, 1862	Commerce and Navigation	.. .. .. .. ..
BOLIVIA ..	Sept. 29, 1840	Commerce and Navigation	No time fixed. The two Contracting Parties reserve to themselves the right of treating and of agreeing hereafter, from time to time, upon such other Articles as may appear to them to contribute still further to the improvement of their mutual intercourse, and to the advancement of the general interests of their respective subjects and citizens; and such Articles as may be so agreed upon shall, when duly ratified, be regarded as forming a part of the present Treaty, and shall have the same force as those now contained in it. (Article XV.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Consuls.

Each of the High Contracting Parties shall have the right to name Consuls for the protection of trade in the dominions and territories of the other Party; and the Consuls who may be so appointed shall enjoy, within the territories of each Party, all the privileges, exemptions, and immunities which are or may be granted in those territories to Agents of the same rank and character appointed by or authorized to act for the Government of the most favoured nation. (Article XVIII.)

Temporary Exceptions : Cotton Yarns and Woollen Goods.

As a temporary exception to the stipulations of Article XIV, and for the space of two years from the 1st October, 1862, the new system shall be applied in the following manner to certain articles of British origin hereinafter enumerated:—

Cotton yarns, twisted, warped, or dyed, shall pay the duties imposed upon single yarns unbleached or bleached, with an addition of 5 c. for twisted yarns, 10 c. for warped yarns, and 15 c. for dyed yarns, per kilogram.

The duty on stuff of wool mixed with cotton shall be 22½ per cent. until the 1st October, 1863, and 20 per cent. until the 1st October, 1864. During the continuance of the transitory system the importer may, at his choice, pay either 180 fr. the 100 kilogram, or the duties stipulated above.

The duty upon printed cotton tissues shall be 150 fr. the 100 kilogram. (Article XXII.)

Cotton Yarns.

The Undersigned, in proceeding to the exchange of the ratifications of the Treaty of Commerce and Navigation concluded on the 23rd July, 1862, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the King of the Belgians, have agreed to record in the present Protocol the modifications in the said Treaty arranged this day between them; and in consequence of which the following Tariff is adopted:—

COTTON YARNS.

Numbers.				First Year.	Second Year.
				Centimes.	Centimes.
20,000 mètres and under	..	..	..	22	20
20,000 to 30,000 mètres	..	..	..	30	25
30,000 to 40,000 „	..	..	..	45	35
40,000 to 65,000 „	..	..	..	60	50

Above 65,000, free entry (weighing charge of 10 c.) during the whole duration of the Treaty.

These modifications shall have the same force and effect as if they were textually inserted in the said Treaty, and they shall come into operation from the 1st October, 1862, the old duties continuing to be applied to the above-mentioned Articles, as well as to the mixed tissues (Article XXII of the Treaty), up to that date. (Protocol.)

Subjects. Ships and Cargoes. Commerce. Navigation. Residence. Houses and Warehouses. Protection.

There shall be between all the territories of Her Britannic Majesty in Europe, and the territories of the Republic of Bolivia, a reciprocal freedom of commerce. The subjects and citizens of the two countries, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the territories aforesaid, to which other foreigners are or may be permitted to come, to enter into the same, and to remain and reside in any part of the said territories respectively; also to hire and occupy houses and warehouses for the purpose of their commerce;

Citizens. Commerce and Navigation.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland engages, further, that the inhabitants of the Republic of Bolivia shall have the like liberty of commerce and navigation stipulated for in the preceding Article in all her dominions situated out of Europe, to the full extent in which the same is permitted at present, or shall be permitted hereafter, to any other nation. (Article III.)

Import Duties, &c.

Applicable to British "dominions." (Article IV.)

Country.	Date.	Subject.	When Terminable.						
BOLIVIA (<i>continued</i>) ..	Sept. 29, 1840	Commerce and Navigation	..	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce; subject always to the laws and statutes of the two countries respectively. (Article II.)

Ships of War and Post-office Packets.

In like manner the respective ships of war and Post-office packets of the two countries shall have liberty freely and securely to come to all harbours, rivers, and places to which other foreign ships of war and packets are or may be permitted to come, to enter into the same, to anchor, and to remain there and refit; subject always to the laws and statutes of the two countries respectively. (Article II.)

Coasting Trade reserved.

By the right of entering the places, ports, and rivers mentioned in this Article, the privilege of carrying on the coasting trade is not understood, in which national vessels only are permitted to engage. (Article II.)

Import Duties. Produce and Manufactures.

No higher or other duty shall be imposed on the importation into the dominions of Her Britannic Majesty of any article of the growth, produce, or manufacture of the Republic of Bolivia, and no higher or other duties shall be imposed on the importation into the territories of the Republic of Bolivia of any articles of the growth, produce, or manufacture of Her Britannic Majesty's dominions, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country. (Article IV.)

Export Duties.

Nor shall any other or higher duties or charges be imposed in the territories or dominions of either of the Contracting Parties on the exportation of any articles to the territories or dominions of the other, than such as are or may be payable on the exportation of the like articles to any other foreign country. (Article IV.)

Prohibitions.

Nor shall any prohibition be imposed upon the exportation or importation of any article the growth, produce, or manufacture of Her Britannic Majesty's dominions, or of the said territories of the Republic of Bolivia, to or from the said dominions of Her Britannic Majesty, to or from the said territories of the Republic of Bolivia, which shall not equally extend to all other nations. (Article IV.)

Diplomatic Agents and Consuls.

It shall be free for each of the two Contracting Parties to appoint Consuls for the protection of trade, to reside in the dominions and territories of the other party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent, and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge fit to be excepted. The Diplomatic Agents and Consuls of the Republic of Bolivia shall enjoy, in the dominions of Her Britannic Majesty, whatever privileges, exceptions, and immunities are or shall be granted to Agents of the same rank belonging to the most favoured nation; and, in like manner, the Diplomatic Agents and Consuls of Her Britannic Majesty, in the territories of the Republic of Bolivia shall enjoy, according to the strictest reciprocity, whatever privileges, exceptions, and immunities are or may be granted to the Diplomatic Agents and Consuls of the most favoured nation in the territories of the Republic of Bolivia. (Article XI.)

Country.		Date.	Subject.	When Terminable.							
BOLIVIA (<i>continued</i>)	..	Sept. 29, 1840	Commerce and Navigation	..	..	..	..	..	..	..	..
BORNEO	..	May 27, 1847	Commerce and Navigation	No time fixed	..	..	..	..	..	..	..
BULGARIA	..	Dec. 31, 1893	Commerce	..	..	..	..	..	..	..	..

Most-favoured-nation Treatment.

Ships and Cargoes. Import Duties.

It is further agreed that, for the term of fifteen years,* the stipulations contained in the Articles V and VI of the present Treaty shall be suspended, and, in lieu thereof, it is hereby agreed that until the expiration of the said term of fifteen years,* British ships entering into the ports of the Republic of Bolivia from the United Kingdom of Great Britain and Ireland, or any other of Her Britannic Majesty's dominions, and all articles the growth, produce, or manufacture of the United Kingdom, or of any of the said dominions, imported in such ships, shall pay no other or higher duties than are or may hereafter be payable in the said ports by the ships, and the like goods, the growth, produce, or manufacture of the most favoured nation; and, reciprocally, it is agreed that Bolivian ships entering into the ports of the United Kingdom of Great Britain and Ireland, or any other of Her Britannic Majesty's dominions, from any port of the Republic of Bolivia, and all articles the growth, produce, or manufacture of the said Republic, imported in such ships, shall pay no other or higher duties than are or may hereafter be payable in the said ports, by the ships and the like goods, the growth, produce, or manufacture of the most favoured nation. (Additional Article II.)

Bounties and Drawbacks on Exports.

And that no higher duties shall be paid, or bounties or drawbacks allowed, on the exportation of any article the growth, produce, or manufacture of the dominions of either country, in the ships of the other, that upon the exportation of the like articles in the ships of any other foreign country.

It being understood that, at the end of the said term of fifteen years, the stipulations of the said Vth and VIth Articles shall from thenceforward be in full force between the two countries. (Additional Article II.)

* From the date of the exchange of the ratifications. The Bolivian ratification was delivered to the British Chargé d'Affaires at Lima on the 1st November, 1840, and the British ratification was delivered to the Bolivian Government at Sucre on the 27th December, 1842.

Subjects. Commerce, &c. Residence. Privileges and Advantages.

The subjects of Her Britannic Majesty shall have full liberty to enter into, reside in, trade with, and pass with their merchandize through, all parts of the dominions of His Highness the Sultan of Borneo, and they shall enjoy therein all the privileges and advantages with respect to commerce, or otherwise, which are now or which may hereafter be granted to the subjects or citizens of the most favoured nation; and the subjects of His Highness the Sultan of Borneo shall in like manner be at liberty to enter into, reside in, trade with, and pass with their merchandize through, all parts of Her Britannic Majesty's dominions in Europe and Asia, as freely as the subjects of the most favoured nation, and they shall enjoy in those dominions all the privileges and advantages, with respect to commerce, or otherwise, which are now, or which may hereafter be, granted therein to the subjects or citizens of the most favoured nation. (Article II.)

Mr. O'Connor to Dr. Stransky.

(Translation)

M. le Ministre,

Sophia, November 4, 1889.

The Bulgarian Government is aware that for some years past British importations into Bulgaria have met with numerous difficulties arising from the various interpretations given to the obsolete Tariff annexed to the Anglo-Turkish Commercial Treaty of 1861, according to which they are taxed.

In an interview which I had the honour to have with your Excellency, you were so good as to assure me that the Bulgarian Government would have no objection to an exchange of notes between the Ministry of Foreign Affairs and Her Britannic

If applicable to British Colonies.

Subjects. Commerce, &c.

Applicable to "all parts of the British dominions in Europe and Asia." (Article II.)

Country.	Date.	Subject.	When Terminable.					
BULGARIA (<i>continued</i>) ..	Dec. 31, 1893	Commerce ..	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

Majesty's Agency, by which, in order to put an end to the difficult circumstances in which British trade now finds itself, it would be established and agreed on both sides, as a provisional Arrangement, that British merchandize should pay an uniform import duty of 8 per cent. on its value, to be fixed on the current price.

His Excellency the Minister of Finance having now informed me that such an Arrangement would receive his assent, I now have the honour to make the proposal officially, viz., that, without prejudice to the right to most-favoured-nation treatment either in regard to cost of transport or in regard to any other matter, British merchandize should be subject to an uniform import duty of 8 per cent., and to inform you that should you accept this Arrangement, the reply which you may be good enough to make to me will be considered by Her Britannic Majesty's Government as having the force of a provisional Arrangement running from year to year, each of the parties reserving the right to denounce it three months before the expiration of any year.

I have, &c.
(Signed) N. R. O'CONOR.

Dr. Stransky to Mr. O'Conor.

(Translation.)

M. l'Agent, *Sophia, November 14 (26), 1889.*

In reply to the note which you addressed to me on the 4th instant, and on receipt of a communication from the Prince's Ministry of Finance, dated the 9th (21st) of that month, I have the honour to state that the Bulgarian Government agrees to the proposal made by Her Britannic Majesty's Government to modify the system in force under the Tariff annexed to the Anglo-Ottoman Treaty of Commerce of 1861 by means of a provisional Arrangement on the following bases, drawn up by the Council of Ministers:—

1. British merchandize imported into Bulgaria will be subject to a customs duty of 8 per cent. *ad valorem*, without prejudice to most-favoured-nation treatment in regard either to the cost of transport or to any other matter. It will also pay the duty of $\frac{1}{2}$ per cent., as well as communal taxes legally established in Bulgaria.
2. Spirits, tobacco, salt, gunpowder, and all other articles which are, under the laws of the country, subject to an excise or monopoly, will pay, in addition to the duties mentioned in the previous paragraph, the taxes established by the special laws on the subject.
3. The produce of the Bulgarian soil and industry imported into the United Kingdom will pay the duties to which are subject the similar produce of the most favoured nations.
4. The present Arrangement is valid until the 1st (13th) January, 1891; if it is not denounced before the 1st (13th) October, 1890, by one of the Contracting Parties, it will remain in force until the 1st (13th) January, 1892.*

In communicating to you the above, I avail, &c.,
(Signed) DR. STRANSKY.

Mr. O'Conor to Dr. Stransky.

(Translation.)

M. le Ministre, *Sophia, November 26, 1889.*

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 26th instant, informing me that the Bulgarian Government agrees to the proposal made in my note of the 4th instant, viz., that British imports into Bulgaria shall pay an uniform import duty of 8 per cent. *ad valorem* under the following conditions:—

1. British merchandize imported into Bulgaria will be subject to a customs duty of 8 per cent. *ad valorem*, without prejudice to most-favoured-nation treatment in regard either to the cost of transport or to any other matter. They will also pay the duty of $\frac{1}{2}$ per cent., as well as communal taxes legally established in Bulgaria.

* Prolonged till December 31, 1893.

Country.	Date.	Subject.	When Terminable.
BULGARIA (<i>continued</i>) ..	Dec. 31, 1893	Commerce ..	.. .. .. .. ..
CHILE	Oct. 4, 1854	Commerce and Navigation	It is stipulated that the present Treaty shall last from the date of the exchange of the ratifications the term of ten years ; but it shall continue obligatory even after this term has expired if neither of the Contracting Parties shall have announced to the other, with twelve months' notice, its wish that the said Treaty should cease. The same term shall intervene between the notice and the expiration of the Treaty, at whatever period such notice may be given, the ten years during which the Treaty ought to last having expired. Notice having been given by either of the Contracting Parties of its resolution that the Treaty should cease, and after the term of twelve months having elapsed, all the stipulations contained in the said Treaty shall cease and expire, excepting those relating to peace and friendship between the two countries and their subjects and citizens, which shall continue obligatory for both parties. (Article XVIII.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

2. Spirits, tobacco, salt, gunpowder, and all other articles which are, under the laws of the country, subject to an excise or monopoly, will pay, in addition to the duties mentioned in the previous paragraph, the taxes established by the special laws on the subject.
 3. The produce of the Bulgarian soil and industry imported into the United Kingdom will pay the duties to which are subject the similar produce of the most favoured nations.
 4. The present Arrangement is valid until the 1st (13th) January, 1891; if it is not denounced before the 1st (13th) October, 1890, by one of the Contracting Parties, it will remain in force until the 1st (13th) January, 1892.*
- In reply, I have the honour to inform your Excellency that I am authorized by my Government to agree to the exceptions mentioned in the second paragraph of your Excellency's above-mentioned note, on the condition, however, that the articles in question shall enjoy most-favoured-nation treatment.

I have, &c.
(Signed) N. R. O'CONOR.

Mr. O'Conor to Dr. Stransky.

(Translation)

M. le Ministre,

Sophia, December 4, 1889.

I FORWARDED to my Government a copy of the note of the 14th (26th) ultimo, in which your Excellency was so good as to inform me that the Bulgarian Government agreed to the proposal made by Her Britannic Majesty's Government for the modification of the system arising under the Tariff annexed to the Anglo-Ottoman Commercial Treaty on the bases mentioned in your above-mentioned note.

I now have the honour, in pursuance of instructions which I have received by telegraph from the Marquis of Salisbury, to inform you that Her Majesty's Government considers the Arrangement as set forth in your Excellency's note of the 14th (26th) November as being concluded between the two Parties by the exchange of notes which has now taken place.

I would therefore beg your Excellency to take the necessary steps in order that the proper orders may be at once given for putting the Arrangement into force as soon as possible.

I have, &c.
(Signed) N. R. O'CONOR.

Dr. Stransky to Mr. O'Conor.

(Translation.)

Sophia, November 28

(December 10), 1889.

I HAVE the honour to acknowledge the receipt of the note which you were so good as to address to me on the 4th instant (N. S.), informing me that Her Britannic Majesty's Government adhere to the provisional Commercial Arrangement, the clauses of which are set forth in my note of the 14th (26th) November.

The Bulgarian Government having taken act of this adhesion, I hasten to inform you that the Arrangement concluded between the two States will come into force on the 1st January (N. S.), 1890.

I have, &c.
(Signed) DR. STRANSKY.

Subjects. Ships and Cargoes. Commerce. Navigation. Houses and Warehouses. Trade Protection.

There shall be between all the dominions of Her Britannic Majesty, and the territories of the Republic of Chile, a reciprocal freedom of commerce. The subjects and citizens of each of the two countries respectively shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the territories of the other, where trade with other nations is permitted. They may remain and reside in any part of the said territories respectively, and hire and occupy houses and warehouses, and may trade, by wholesale or retail, in all kinds of produce, manufactures, and merchandize of lawful commerce; and shall enjoy the same protection and security in their persons and property, and in the exercise of their industry and commerce, as may be enjoyed by native subjects and citizens according to the laws of the respective countries. (Article II.)

Subjects. Import Duties, &c.

Applicable to the "dominions" of Her Britannic Majesty. (Articles II and III.)

Country.	Date.	Subject.	When Terminable.
CHILE (<i>continued</i>) ..	Oct. 4, 1854	Commerce and Navigation	.. .. .. ..
CHINA	June 26, 1858	Commerce and Navigation	It is agreed that either of the High Contracting Parties to this Treaty may demand a further revision of the Tariff, and of the commercial Articles of this Treaty, at the end of ten years; but if no demand be made on either side within six months after the end of the first ten years, then the Tariff shall remain in force for ten years more, reckoned from the end of the preceding ten years; and so it shall be at the end of each successive period of ten years. (Article XXVII.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Ships of War and Post-office Packets.

In like manner the ships of war and Post-office packets of each Contracting Party respectively shall have liberty to enter into all harbours, rivers, and places within the territories of the other to which the ships of war and packets of other nations are or may be permitted to come; to anchor there and to remain and refit; subject always to the laws and regulations of the two countries respectively. (Article II.)

Import Duties. Produce and Manufactures.

No other or higher duties shall be imposed on the importation into the dominions of Her Britannic Majesty of any article the growth, produce, or manufacture of the Republic of Chile; and no other or higher duties shall be imposed on the importation into the territories of the Republic of Chile of any article the growth, produce, or manufacture of Her Britannic Majesty's dominions, than are or shall be payable on the like article the growth, produce, or manufacture of any other foreign country. (Article III.)

Export Duties.

Nor shall any other or higher duties or charges be imposed in the dominions or territories of either of the Contracting Parties on the exportation of any article to the dominions or territories of the other than such as are or may be payable on the exportation of the like article to any other foreign country. (Article III.)

Prohibitions.

No prohibition shall be imposed upon the importation of any article the growth, produce, or manufacture of the territories of either of the two Contracting Parties into the territories of the other, which shall not equally extend to the importation of the like articles being the growth, produce, or manufacture of any other country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to the territories of all other nations. (Article III.)

Differential Duty: "De Patente."

It is understood that the differential duty denominated "de Patente," and which is charged in Chile to foreign merchants and shop-keepers, is not abolished by the stipulations in the first part of this Article. The subjects of Her Britannic Majesty shall, in this respect, be placed upon the footing of most favoured foreign nation. (Article XI.)

Diplomatic Agents and Consuls.

It shall be free for each of the two Contracting Parties to appoint Consuls, for the protection of trade, to reside in the dominions and territories of the other Party; but before any Consul shall act as such he shall, in the usual form, be approved and admitted by the Government to which he is sent, and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge fit to be excepted. The Diplomatic Agents and Consuls of each of the two High Contracting Parties, in the dominions or territories of the other, shall enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Agents of the same rank belonging to the most favoured nation. (Article XII.)

Consuls.

Her Majesty the Queen may appoint one or more Consuls in the dominions of the Emperor of China, and such Consul or Consuls shall be at liberty to reside in any of the open ports or cities of China, as Her Majesty the Queen may consider most expedient for the interests of British commerce. They shall be treated with due respect by the Chinese authorities, and enjoy the same privileges and immunities as the Consular officers of the most favoured nation. (Article VII.)

Not applicable to British Colonies.

Country.	Date.	Subject.	When Terminable.
CHINA (<i>continued</i>) ..	June 26, 1858	Commerce and Navigation	.. .. .
COLOMBIA ..	Feb. 16, 1866	Commerce and Navigation	The present Treaty of the 17th October, 1866, Commerce and Navigation, when ratified, shall, so far as regards the United States of Columbia, be substituted for the Treaty between His Britannic Majesty and the State of Colombia, signed at Bogotá on the 18th April, 1825, and shall remain in force for ten years from the date of the exchange of the ratifications,* and further until the expiration of twelve months after either of the Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the Contracting Parties being at liberty to give such notice to the other at the expiration of the first nine years, or at any time afterwards. (Article XXII.)
			* October 17, 1860.

Most-favourable-nation Treatment.

If applicable to British Colonies.

Import and Export Duties.

It is agreed that British subjects shall pay, on all merchandize imported or exported by them, the duties prescribed by the Tariff; but in no case shall they be called upon to pay other or higher duties than are required of the subjects of any other foreign nation. (Article XXIV.)

Subjects. Privileges, Immunities, and Advantages.

The British Government and its subjects are hereby confirmed in all privileges, immunities, and advantages conferred on them by previous Treaties, and it is hereby expressly stipulated that the British Government and its subjects will be allowed free and equal participation in all privileges, immunities, and advantages that may have been, or may be hereafter, granted by His Majesty the Emperor of China to the Government or subjects of any other nation. (Article LIV.)

Subjects. Commerce. Navigation. Ships and Cargoes.

There shall be between all the dominions and possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects and citizens of each of the two Contracting Parties, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other, to which other foreign subjects or citizens are or may be permitted to come, upon the same terms and under the same conditions as those of the most favoured nations. (Article II.)

Import Duties.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article the produce or manufacture of the dominions and possessions of the United States of Colombia, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of the United States of Colombia of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than are or may be payable on the like article the produce or manufacture of any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the Contracting Parties into the dominions and possessions of the other, which shall not equally extend to the importation of the like articles being the produce and manufacture of any other country. (Article III.)

Export Duties.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties, on the exportation of any article to the dominions and possessions of the other, than such as are or may be payable on the exportation of the like article to any other foreign country. (Article IV.)

Prohibitions.

Nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country. (Article IV.)

Diplomatic Agents and Consuls.

The Diplomatic Agents and Consuls of each of the two High Contracting Parties in the dominions or territories of the other shall enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Agents of the same rank belonging to the most favoured nation.

Subjects. Ships and Cargoes. Import Duties, &c.

Applicable to the British "dominions and possessions." (Articles II and III.)

Country.	Date.	Subject.	When Terminable.
COLOMBIA (<i>continued</i>) ..	Feb. 16, 1866	Commerce and Navigation	.. .. .
KOREA.. ..	Nov. 26, 1883	Commerce, &c. ..	Ten years from the date on which this Treaty shall come into operation,* either of the High Contracting Parties may, on giving one year's previous notice to the other, demand a revision of the Treaty or of the Tariff annexed thereto, with a view to the insertion therein, by mutual consent, of such modifications as experience shall prove to be desirable. (Article XI.)
			* April 28, 1884.
COSTA RICA ..	Nov 27, 1849	Commerce and Navigation	In order that the two High Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects and citizens, it is agreed that at any time after the expiration of seven years from the date of the exchange of the ratifications* of the present Treaty either of the High Contracting Parties shall have the right of giving to the other Party notice of its intention to terminate Articles V, VI, and VII of the present Treaty; and that at the expiration of twelve months after such notice shall have been received by either Party from the other, the said Articles and all the stipulations contained therein shall cease to be binding on the two High Contracting Parties. (Article XV.)
			* February 20, 1850.

Most-favoured-nation Treatment.

If applicable to British Colonies.

It shall be free for each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents, to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Consuls of the most favoured nation. (Article XIII.)

Subjects. Property.

The subjects and citizens of each of the Contracting Parties in the dominions and possessions of the other shall be at full liberty to acquire, possess, and dispose of every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to acquire and possess. They may acquire and dispose of the same, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner, under the same conditions as are established by the laws of the country for all foreigners. Their heirs and representatives may succeed to and take possession of such property, either in person or by agents acting on their behalf, in the same manner and in the same legal forms as subjects or citizens of the country. In the absence of heirs and representatives the property shall be treated in the same manner as the like property belonging to a subject or citizen of the country under similar circumstances. (Article XVII.)

It is hereby stipulated that the Government, public officers, and subjects of Her Britannic Majesty shall, from the day on which this Treaty comes into operation,* participate in all privileges, immunities, and advantages, especially in relation to import or export duties on goods and manufactures, which shall then have been granted, or may thereafter be granted, by His Majesty the King of Corea to the Government, public officers, or subjects of any other Power. (Article X.)

* April 28, 1884.

Subjects. Commerce. Ships and Cargoes. Houses and Warehouses. Protection.

There shall be between all the territories, dominions, and settlements of Her Britannic Majesty in Europe, and the territories of the Republic of Costa Rica, a reciprocal freedom of commerce. The subjects and citizens of the two countries respectively shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the territories, dominions, and settlements aforesaid, to which other foreigners are or may be permitted to come; to enter into the same, and to remain and reside in any part thereof respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and generally the merchants and traders of each nation respectively shall enjoy the most complete protection and security for their commerce, subject always to the laws and statutes of the two countries respectively. (Article II.)

Ships of War and Post-office Packets.

In like manner the respective ships of war and Post-office packets of the two countries shall have liberty freely and securely to come to all harbours, rivers, and places to which other foreign ships of war and packets are or may be permitted to come; to enter into the same, to anchor, and to remain there and refit, subject always to the laws and statutes of the two countries respectively. (Article II.)

It is hereby declared that the provisions of this Treaty shall apply to all British Colonies, unless any exception shall be notified by Her Majesty's Government to that of Corea within one year from the date on which the ratifications of this Treaty shall be exchanged.* (Article 3 of Protocol of 26th November, 1883.)

* Ratifications exchanged April 28, 1884.

Applicable to the "territories, dominions, and settlements of Her Britannic Majesty in Europe" (Article II); and to the "territories, dominions, and settlements of Her Britannic Majesty" (Article V).

Country.	Date.	Subject.	When Terminable.						
COSTA RICA (<i>continued</i>) ..	Nov. 27, 1849	Commerce and Navigation	..	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

Coasting Trade reserved.

By the right of entering the places, ports, and rivers mentioned in this Article, the privilege of carrying on the coasting trade is not understood, in which trade national vessels only are permitted to engage. (Article II.)

Commerce and Navigation.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland engages further that the inhabitants of the Republic of Costa Rica shall have the like liberty of commerce and navigation stipulated for in the preceding Article in all her territories, dominions, and settlements situated out of Europe to the full extent to which the same is permitted at present, or shall be permitted hereafter, to any other nation. (Article III.)

Subjects. Favours, Privileges, and Immunities.

It being the intention of the two High Contracting Parties to bind themselves by the two preceding Articles to treat each other on the footing of the most favoured nation, it is hereby agreed between them that any favour, privilege, or immunity whatever in matters of commerce and navigation which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects or citizens of the other High Contracting Party gratuitously if the concession in favour of that other nation shall have been gratuitous; or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement if the concession shall have been conditional. (Article IV.)

Import Duties. Produce and Manufactures.

No higher or other duties shall be imposed on the importation into the territories, dominions, or settlements of Her Britannic Majesty of any article being of the growth, produce, or manufacture of the Republic of Costa Rica, and no higher or other duties shall be imposed on the importation into the territories of the Republic of Costa Rica of any articles being the growth, produce, or manufacture of the territories, dominions, and settlements of Her Britannic Majesty than are or shall be payable on the like articles being the growth, produce, or manufacture of any other foreign country. (Article V.)

Export Duties.

No other or higher duties or charges be imposed in the territories, dominions, or settlements of either of the High Contracting Parties on the exportation of any articles to the territories, dominions, or settlements of the other than such as are or may be payable on the exportation of the like articles to any other foreign country. (Article V.)

Prohibitions.

No prohibition be imposed upon the exportation or importation of any articles the growth, produce, or manufacture of the territories, dominions, or settlements of Her Britannic Majesty, or of the Republic of Costa Rica, to or from the said territories, dominions, or settlements of Her Britannic Majesty, or to or from the Republic of Costa Rica, which shall not equally extend to all other nations. (Article V.)

Diplomatic Agents and Consuls.

It shall be free for each of the two High Contracting Parties to appoint Consuls for the protection of trade, to reside in any of the territories, dominions, and settlements of the other party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent, and either of the High Contracting Parties may except from the residence of Consuls such particular places as they judge fit to be excepted. The Costa Rican Diplomatic Agents and Consuls shall enjoy in the territories, dominions,

Country.	Date.	Subject.	When Terminable.
COSTA RICA (<i>continued</i>) ..	Nov. 27, 1849	Commerce and Navigation	.. .. .. .. ..
DENMARK	Feb. 13, 1660-1	Commerce and Navigation	No time fixed .. Confirmed by Treaty of the 14th January, 1814.
DOMINICAN REPUBLIC ..	Mar. 6, 1850	Commerce and Navigation	In order that the two Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects and citizens, it is agreed that the present Treaty shall remain in force and vigour for the term of ten years from the date of the exchange of the ratifications;* and either of the Contracting Parties shall have the right of giving to the other party notice of its intention to terminate, at the expiration of the said ten years, the stipulations relating to commerce and navigation, which shall cease to be binding after ten years, and all those that relate to peace and amity shall remain obligatory to both nations. (Article X.)

* September 10, 1850.

Most-favoured-nation Treatment.

and settlements of Her Britannic Majesty whatever privileges, exceptions, and immunities are or shall be granted to Agents of the same rank belonging to the most favoured nation; and in like manner the Diplomatic Agents and Consuls of Her Britannic Majesty in the Costa Rican territories shall enjoy, according to the strictest reciprocity, whatever privileges, exemptions, and immunities are or may be granted in the territories of the Republic of Costa Rica to the Diplomatic Agents and Consuls of the most favoured nation. (Article XI.)

Subjects. Customs and other Duties. Fishing and Trading. Liberties, Immunities, and Privileges.

It is also covenanted and concluded that the people and subjects of the King of England, Scotland, France, and Ireland, sailing unto any the hereditary kingdoms, principalities, or dominions of the King of Denmark and Norway, or exercising merchandize therein, shall pay neither more nor greater customs, tributes, tolls, and other duties, nor in other manner than as the people of the United Provinces of the Netherlands and other strangers (the Swedes only excepted) trading thither, and paying less customs, do or shall pay; and that as well in going, returning, and staying, as also in fishing and trading, they shall enjoy the same liberties, immunities, and privileges which the people of any foreign nation whatsoever abiding or trading in the said kingdoms and dominions of the King of Denmark and Norway do or shall enjoy. On the other side the people and subjects of the King of Denmark and Norway shall use and enjoy the same privileges in the countries and dominions of the King of England; to wit, that the people and subjects of the King of Denmark and Norway sailing unto any the kingdoms, principalities, or dominions of the King of England, or exercising merchandize therein, shall pay neither more nor greater customs, tributes, tolls, and other duties, nor in any other manner than as the people of the United Provinces of the Netherlands, or other strangers trading thither, and paying less customs, do or shall pay, and that as well in going, returning, and staying, as also in fishing and trading, they shall enjoy the same liberties, immunities, and privileges which the people of any foreign nation whatsoever abiding or trading in the said kingdoms and dominions of the King of England do or shall enjoy. But so that the sovereign power of both Kings, in their kingdoms, principalities, dominions, and ports respectively, to appoint and change customs and any other matters according to the occasion, be preserved and remain inviolate, provided the said equality be strictly observed on either part in manner aforesaid. (Article XIII.)

Subjects. Commerce. Protection. Rights and Privileges.

There shall be reciprocal freedom of commerce between the British dominions and the Dominican Republic. The subjects of Her Britannic Majesty may reside in and trade to any part of the territories of the Republic to which any other foreigners are or shall be admitted. They shall enjoy full protection for their persons and properties. They shall be allowed to buy from and to sell to whom they like, without being restrained or affected by any monopoly, contract, or exclusive privilege of sale or purchase whatever; and they shall moreover enjoy all other rights and privileges which are or may be granted to any other foreigners, subjects, or citizens of the most favoured nation.

The citizens of the Dominican Republic shall, in return, enjoy similar protection and privileges in the dominions of Her Britannic Majesty. (Article II.)

If applicable to British Colonies.

Subjects. Customs Duties, &c.

Applicable to the British "dominions." (Article XIII.)

Subjects. Commerce.

Applicable to the British "dominions." (Article II.)

Country.	Date.	Subject.	When Terminable.
DOMINICAN REPUBLIC (<i>continued</i>)	Sept. 7, 1860	Commerce and Navigation	Twelve months' notice to be given of wish to terminate the above Treaty. (Declaration.)
EGYPT . . .	Mar. 3, 1884	Commerce and Navigation	To continue for seven years from the 20th March, 1884. (Article XVI of Treaty with Greece.)
" . . .	Oct 29, 1889	Commerce . . .	The present Convention shall come into force on the 1st January, 1890, and shall remain in force for ten years from that date. And in case neither of the two Contracting Parties shall have notified twelve months before the expiration of the said period of ten years its intention of putting an end to the present Convention, it shall remain binding until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice. (Article XVI.)

Most-favoured-nation Treatment.

[If applicable to British Colonies.]

Import Duties. Goods and Merchandize.

Merchandize or goods coming from the British dominions in any vessel, or imported in British vessels from any country, shall not be prohibited by the Dominican Republic, nor be subject to higher duties than are levied on the same kinds of merchandize or goods coming from any other foreign country, or imported in any other vessels. (Article IV.)

Export Duties.

All articles the produce of the Republic may be exported therefrom by British subjects and British vessels, on as favourable terms as by the subjects or citizens and vessels of any other foreign country. (Article IV.)

Subjects. Commerce and Navigation. Favours, Privileges, and Immunities.

It being the intention of the two Contracting Parties to bind themselves by the present Treaty to treat each other on the footing of the most favoured nation, it is hereby agreed between them that any favour, privilege, or immunity whatever in matters of commerce and navigation which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects or citizens of the other Contracting Party gratuitously if the concession in favour of that other State shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement if the concession shall have been conditional. (Article VI.)

Diplomatic Agents and Consuls.

Each Contracting Party may appoint Consuls for the protection of trade, to reside in the dominions or territories of the other; but no such Consul shall enter upon the exercise of his functions until he shall have been approved and admitted in the usual form by the Government of the country to which he is sent.

The Diplomatic Agents and Consuls of each of the two Contracting Parties residing within the dominions or territories of the other shall enjoy the same rights, immunities, privileges, and exemptions which are or may be granted to the Diplomatic Agents or Consuls of equal rank of the most favoured nation. (Article VII.)

The Government of Her Britannic Majesty agrees that the Egyptian Custom-house Regulations, which, by the Convention made on the 3rd March, 1834, between the Egyptian Government and the Government of His Majesty the King of the Hellenes,* are made applicable to Hellenic subjects, ships, commerce, and navigation, shall be applied equally to British subjects, ships, commerce, and navigation.

All rights, privileges, or immunities which the Government of Egypt now grants, or may hereafter grant to, or suffer to be enjoyed by, the subjects, ships, commerce, and navigation of other foreign Powers, shall be equally granted to, and exercised, and enjoyed by the subjects, ships, commerce, and navigation of Great Britain.

Import Duties. Produce and Manufacture.

No other or higher duties shall be imposed on the importation into the United Kingdom of Great Britain and Ireland of any article, the produce or manufacture of Egypt, from whatever place arriving, and no other or higher duties shall be imposed on the importation into Egypt of any article, the produce or

Colonies not mentioned.

The stipulations of the present Convention shall be applicable, as far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada.
Newfoundland.
The Cape.

* Laid before Parliament in "Commercial No. 29 (1834)."

Most-favoured-nation Treatment.

manufacture of the United Kingdom of Great Britain and Ireland, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of either of the Contracting Countries, into the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other foreign country.

This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

Tobacco of all kinds, tobacco, salt, saltpetre, natron, hasheesh, arms of every description, ammunition, gunpowder, and explosive material, are excluded from the stipulations of the present Convention. (Article II.)

Export Duties.

No other or higher duties or charges shall be imposed in the United Kingdom of Great Britain and Ireland or in Egypt, respectively, on the exportation of any article to the other Contracting Country, than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from either of the two Contracting Countries to the other which shall not equally extend to the exportation of the like article to any other foreign country. (Article III.)

Customs, Coastguard, Police.

The Contracting Governments agree that in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which one Contracting Party has actually granted, or may hereafter grant, to the natives of any other State shall, on the demand of the other Contracting Government, be immediately and unconditionally extended to the natives of the other Contracting Party, which shall, by the simple fact of such demand, assume, as regards Administrative Regulations of Customs, Coastguard, and Police, all the obligations incumbent on the State with which it demands assimilation. (Article IV.)

Ad valorem Duties.

The undermentioned goods, the produce or manufacture of the United Kingdom of Great Britain and Ireland, shall pay, on importation into Egypt, duty not exceeding 10 per cent. *ad valorem*, viz. :—

1. Metals, raw, partially manufactured and wholly manufactured, including machinery and parts thereof, agricultural machines and implements, railway and tramway carriages and engines, hardware, and all articles of which metals (except gold or silver) are the principal component.
2. Cutlery, ordinary, that is to say, with handles of any material except gold, silver, pearl, or tortoiseshell.
3. Yarns, threads, cordage, and cables, nets, velvets, and all other fabrics, plain, open-work, or fancy, unbleached, bleached, printed or dyed, manufactured from any vegetable fibre, such as cotton, jute, flax, hemp, reed, palm, aloe, or the like.
4. Yarns and fabrics as enumerated in Class 3 manufactured from wool, worsted, mohair, vicuna, camel-hair, or any animal fibre except silk.
5. Mixed fabrics of the materials enumerated in Classes 3 and 4, and also with an admixture of silk or waste silk not exceeding 20 per cent. in weight of the whole fabric.
6. Coal.
7. Indigo.
8. Rice.
9. Oil-seeds.

The Egyptian Government preserves an absolute right respecting the taxation of all other articles. The regulations and tariffations of such other articles shall be applicable to British subjects under the same conditions as to natives or to foreigners the most favoured in that respect.

The duties *ad valorem* levied in Egypt on goods the produce or manufacture of the United Kingdom of Great Britain and Ireland shall be calculated on the value at the place of ship-

If applicable to British Colonies.

Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always, that the stipulations of the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Egyptian Government by Her Britannic Majesty's Representative at Cairo, within one year from the date of the signature of the present Convention. (Article XV.)

Country.		Date.	Subject.	When Terminable.					
EGYPT (<i>continued</i>)	..	Oct. 29, 1889	Commerce	..	..	..	..	..	..
EQUATOR	..	Oct. 18, 1880	Commerce and Navigation	The present Treaty of Commerce and Navigation, when ratified shall be substituted for the Treaty of Friendship, Commerce and Navigation concluded between the High Contracting Parties at Quito on the 3rd day of May, 1851. It shall remain in force for ten years from the date of the exchange of the ratifications,* and further until the expiration of twelve months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same each of the High Contracting Parties reserving to itself the right of giving such notice to the other at the expiration of the first nine years, or at any time afterwards. (Article XXIII.)					
				* Febrary 19, 1886.					

Most-favoured-nation Treatment.

ment or purchase of the object imported, with the addition of the cost of transport, including insurance, necessary for the importation into Egypt as far as the port of discharge.

For the levying of these duties the importer shall make a written declaration at the Custom-house, stating the description of the goods imported and their value at the port of discharge.

The Customs may further, in contested cases, insist on the production of all the documents which should accompany consignments of merchandize, such as invoices, policies of insurance, correspondence, &c.

If the Custom-house authorities shall be of opinion that the declared value is insufficient, they shall be at liberty to take the goods on paying to the importer the price declared by him, with an addition of 5 per cent. This payment, together with the restitution of any duty which may have been levied upon such goods, shall be made within the fifteen days following the declaration.

The said authorities shall also have the right of taking the duties in kind. In order to take the duties in kind the Customs shall have the right of selecting the articles according to their declared value until the amount due to them shall be reached. (Article VI.)

Import Duties. Produce and Manufactures.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article the produce or manufacture of the dominions and possessions of the Republic of the Equator, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of the Republic of the Equator of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than are or shall be payable on the like article the produce or manufacture of any other foreign country; nor shall any prohibition be imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the two Contracting Parties into the dominions and possessions of the other which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country. (Article III.)

Export Duties.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country. (Article IV.)

Tonnage, Harbour, Pilotage, Lighthouse, Quarantine, &c., Duties.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country which shall not equally and under the same conditions be imposed in the like cases on the vessels of other nations.

Such equality of treatment shall apply reciprocally to the respective vessels from whatever port or place they may arrive, and whatever may be their place of destination. (Article VIII.)

Loading and Unloading of Ships.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, the same privileges and immunities shall be conceded which have been conceded to the most favoured nation. (Article X.)

If applicable to British Colonies.

Protocol

Having met in the Ministry for Foreign Affairs of Ecuador, the Undersigned, Christian William Lawrence, Esq., Her Britannic Majesty's Minister Resident, and J. Modesto Espinosa, Minister for Foreign Affairs, authorized by their respective full powers, found in good and due form, in discussing the exchange of the ratifications of the Treaty of Friendship, Commerce, and Navigation signed in Quito on the 18th October, 1880, and approved by Her Britannic Majesty and by the Congress of Ecuador, have agreed to the present Protocol:

1. The stipulations of the aforesaid Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, with the exception of those hereinafter named, that is to say:

The Dominion of Canada.
New South Wales.
Victoria.
Tasmania.

2. A paper shall be drawn up in which, after comparing the English and Spanish texts, the errors which had been made in copying them shall be corrected.

In witness whereof the Undersigned have signed the present Protocol, and have thereto affixed their seals.

Done at Quito, the 17th day of July, 1885.

((L.S.))

C. W. LAWRENCE.

Country.	Date.	Subject.	When Terminable.						
EQUATOR (<i>continued</i>) ..	Oct. 18, 1880	Commerce and Navigation	..	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

Subjects, Commerce and Navigation, Favours, Privileges, and Immunities.

The High Contracting Parties agree that in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever, which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade of each country shall be placed in all respects by the other on the footing of the most favoured nation. (Article XII.)

Consular Officers, Privileges, Exemptions, &c.

It shall be free for each of the two High Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents, to reside in the towns and ports of the dominions and possessions of the other.

Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted, in the usual form, by the Government to which they are sent.

They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Consuls of the most favoured nation. (Article XIV.)

Acquisition and Disposal of Property.

The subjects and citizens of each of the two Contracting Parties in the dominions and possessions of the other shall be at full liberty to acquire, possess, and dispose of every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to acquire and possess. They may acquire and dispose of the same, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner, under the same conditions as are established by the laws of the country for all foreigners. Their heirs and representatives may succeed to and take possession of such property, either in person or by agents acting on their behalf, in the same manner and in the same legal forms as subjects or citizens of the country. In the absence of heirs and representatives the property shall be treated in the same manner as the like property belonging to a subject of the country under similar circumstances.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by subjects of the country. In every case the subjects and citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, freely, and without being subjected on such exportation to pay any duty as foreigners, or any other or higher duties than those to which subjects of the country are liable under similar circumstances.

If any subject or citizen of either of the two High Contracting Parties shall die without will or testament in any of the territories, dominions, or settlements of the other, the Consul-General or Consul of the nation to which the deceased belonged, or the representative of such Consul-General or Consul, in his absence, shall have the right to nominate curators to take charge of the property of deceased, so far as the laws of the country will permit, for the benefit of the lawful heirs and creditors of the deceased; giving proper notice of such nomination to the authorities of the country. (Article XVIII.)

Country.	Date.	Subject.	When Terminable.
FRANCE	Jan. 26, 1826	Commerce and Navigation	The present Convention shall be in force for the term of ten years, from the 5th April of the present year; and further, until the end of twelve months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate its operation, each of the High Contracting Parties reserving to itself the right of giving such notice to the other at the end of the said term of ten years; and it is agreed between them that, at the end of the twelve months' extension agreed to on both sides, this Convention and all the stipulations thereof shall altogether cease and determine. (Article VII.)
.. ..	Feb. 28, 1882	Commerce and Navigation	The present Convention shall come into operation on the 16th May, 1882, and remain in force until the 1st February, 1892. In case neither of the two High Contracting Parties should have notified twelve months before the said date the intention of putting an end to it, it shall remain binding until the expiration of one year from the day on which either of the two High Contracting Parties shall have denounced it (Article XII.)

Most-favoured-nation Treatment.

Vessels.

It is mutually agreed between the High Contracting Parties that, in the intercourse of navigation between their two countries, the vessels of any third Power shall in no case obtain more favourable conditions than those stipulated in the present Convention in favour of British and French vessels. (Article IV.)

Commerce, &c. Customs Tariff.

The Customs Tariff for goods the produce or manufacture of the United Kingdom on their importation into France and Algeria, and for goods the produce or manufacture of France or Algeria on their importation into the United Kingdom, being from henceforth regulated by the internal legislation of each of the two States,* the High Contracting Parties guarantee to each

If applicable to British Colonies.

Vessels.

It is agreed that the provisions of the present Convention between the High Contracting Parties shall be reciprocally extended and in force in all the possessions subject to their respective dominion in Europe. (Article VI.)

Vessels and Cargoes. Import and Export Duties, &c.

From and after the 1st October of the present year French vessels shall be allowed to sail from any port whatever of the countries under the dominion of His Most Christian Majesty to all the Colonies of the United Kingdom (except those possessed by the East India Company), and to import into the said Colonies all kinds of merchandize, being productions the growth or manufacture of France, or of any country under the dominion of France, with the exception of such as are prohibited to be imported into the said Colonies, or are permitted to be imported only from countries under the British dominion; and the said French vessels, as well as the merchandize imported in the same, shall not be subject in the Colonies of the United Kingdom to other or higher duties than those to which British vessels may be subject on importing the same merchandize from any foreign country, or which are imposed upon the merchandize itself.

The same facilities shall be granted reciprocally in the Colonies of France, with regard to the importation in British vessels of all kinds of merchandize, being productions the growth and manufacture of the United Kingdom, or of any country under the British dominion, with the exception of such as are prohibited to be imported into the said Colonies, or are permitted to be imported only from countries under the dominion of France. And whereas all goods the produce of any foreign country may now be imported into the Colonies of the United Kingdom in the ships of that country, with the exception of a limited list of specified articles, which can only be imported into the said Colonies in British ships, His Majesty the King of the United Kingdom reserves to himself the power of adding to the said list of excepted articles any other the produce of the French dominions, the addition whereof may appear to His Majesty to be necessary for placing the commerce and navigation to be permitted to the subjects of each of the High Contracting Parties with the Colonies of the other upon a footing of fair reciprocity. (Additional Article I.)

From and after the same period French vessels shall be allowed to export from all the Colonies of the United Kingdom (except those possessed by the East India Company) all kinds of merchandize which are not prohibited to be exported from such Colonies in vessels other than those of Great Britain; and the said vessels, as well as the merchandize exported in the same, shall not be subject to other or higher duties than those to which British vessels may be subject on exporting the said merchandize, or which are imposed upon the merchandize itself; and they shall be entitled to the said bounties, drawbacks, and other allowances of the same nature to which British vessels would be entitled on such exportation.

The same privileges and facilities shall be granted reciprocally in all the Colonies of France for the exportation in British vessels of all kinds of merchandize, which are not prohibited to be exported from such Colonies in vessels other than those of France. (Additional Article II.)

See foot-note.

* By a French Law promulgated on the 27th February, 1882, it was declared that from that date goods of English origin or manufacture should be liable on their entry into France to the same treatment as those of the most favoured nations, with the exception of *Colonial produce*, which, it was declared, would remain subject to the General Customs Tariff. Parliamentary Paper, "Commercial No. 9 (1882)," p. 286.

Country.	Date.	Subject.	When Terminable.							
FRANCE (<i>continued</i>) ..	Feb. 28, 1882	Commerce and Navigation	..	..	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

other reciprocally in the United Kingdom, and in France and Algeria, in all other matters the treatment of the most favoured nation. (Article I.)

Favours, Privileges, and Immunities.

It is therefore understood that, with the exception above stated, each of the High Contracting Parties engages to give the other immediately and unconditionally the benefit of every favour, immunity, or privilege in matters of commerce or industry which have been or may be conceded by one of the High Contracting Parties to any third nation whatsoever, whether within or beyond Europe. (Article I.)

Transit. Warehousing. Exportation and Re-exportation. Local Dues. Brokerage. Customs Formalities. Samples.

It is likewise understood that in all that relates to transit, warehousing, exportation, re-exportation, local dues, brokerage, Customs formalities, samples (Article I)—

Commerce. Residence. Professions. Taxes, &c.

And likewise in all matters relating to the exercise of commerce and industry, and in respect to residence, whether temporary or permanent, the exercise of any calling or profession, the payment of taxes or other impositions (Article I)—

Legal Rights. Holding and Disposal of Property.

And the enjoyment of all legal rights and privileges, including the acquiring, holding, and power of disposing of property, British subjects in France or in Algeria, and French in the United Kingdom, shall enjoy the treatment of the most favoured nation. (Article I.)

Transit Dues.

The transit of goods of all kinds to and from the United Kingdom shall be free from all transit duties in France and Algeria, and the transit of goods to and from France and Algeria shall be free from all transit duties in the United Kingdom. (Article II.)

Transit. Prohibitions. Arms. Munitions of War. Spurious Imitations.

The two Governments reserve the faculty of excluding from transit arms and munitions of war, and spurious imitations. The treatment of the most favoured nation is reciprocally guaranteed to each of the two countries in all that concerns transit. (Article II.)

Prohibitions. Sanitary Precautions, &c. Prospect of War.

It is understood that each of the two High Contracting Parties reserves to itself to decide as regards goods and merchandize passing from one or other of the two countries, on such prohibitions or temporary restrictions of import, export, or transit which they may think necessary to enforce for sanitary reasons, to prevent the spread of cattle diseases, or the destruction of crops, or in view of events of war. (Article II.)

Prohibitions. Imports and Exports.

The High Contracting Parties engage not enforce one against the other any prohibition of importation or exportation which shall not at the same time be applicable to all other nations. (Article III.)

Country.	Date.	Subject.	When Termi able.
GERMANY (ZOLLVEREIN) .. (see also PRUSSIA.)	May 30, 1865	Com merce	The present Treaty shall come into force on the 1st July, 1865, and shall remain in force until the 31st June, 1877. In case neither of the Contracting Parties shall, twelve months before the last-mentioned day, have given notice to the other of the intencion to terminate the operation of the Treaty, then the same shall continue in force until the expiration of one year from the day upon which either of the Contracting Parties shall have given notice to the other to terminate the same. (Article VIII.)
"	Aug. 16, 1865	Navigation. (See PRUSSIA.)	
GERMANY	May and June 1885	Spheres of action in portions of Africa	No time fixed ..

Most-favoured-nation Treatment.

Subjects. Commerce. Trade. Taxes.

The subjects of Her Britannic Majesty who dwell either temporarily or permanently in the States of the Zollverein, and the subjects of the States of the Zollverein who dwell either temporarily or permanently in the dominions or possessions of Her Britannic Majesty, shall enjoy therein, in respect to the exercise of commerce and trades, the same rights as, and be subjected to no higher or other taxes than, the subjects of any third country the most favoured in those respects. (Article I.)

Import Duties. Produce and Manufactures.

The produce and manufactures of the dominions and possessions of Her Britannic Majesty which may be imported into the Zollverein, and the produce and manufactures of the States of the Zollverein which may be imported into the United Kingdom of Great Britain and Ireland, whether intended for consumption, warehousing, re-exportation, or transit, shall therein be treated in the same manner as, and in particular shall be subject to no higher or other duties than, the produce and manufactures of any third country the most favoured in those respects. (Article II.)

Export Duties.

No other or higher duties shall be levied in the Zollverein on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, nor in the dominions and possessions of Her Britannic Majesty on the exportation of any goods to the Zollverein, than are or may be levied on the exportation of the like goods to any third country the most favoured in that respect. (Article III.)

Favours. Privileges and Reductions in Tariff.

Any favour, privilege, or reduction in the Tariff of duties of importation or exportation, which either of the Contracting Parties may concede to any third Power, shall be extended immediately and unconditionally to the other. (Article V.)

Prohibitions.

No prohibition of importation or exportation shall be established by either of them against the other, which shall not at the same time be applicable to all other nations. The Contracting Parties engage not to prohibit the exportation of coal, and to levy no duty upon such exportation. (Article V.)

*Duties. Protection of Persons and Property.**Earl Granville to Count Münster.*

M. l'Ambassadeur, *Foreign Office, May 16, 1885.*
Dr. KRAUEL, in his recent interviews respecting the arrangement now concluded regarding the Protectorates of Great Britain and Germany on the African coast, stated that it is the wish of the German Government that the settlement of the boundary between the British and German Protectorates on the Gulf of Guinea should be followed by negotiations for a commercial arrangement insuring equality of treatment for the trade of the two countries in the respective Protectorates.

It was pointed out that while Her Majesty's Government fully accepted the principle of equality of treatment it was premature to negotiate the adoption of formal engagements, as the question of the administration of the Protectorates must first be settled. Dr. Krauel urged that at any rate such assurances might be exchanged as might satisfy traders that there would be no differential treatment, and that no excessive duties would be imposed. These assurances Her Majesty's Government have no difficulty in giving, and I have consequently to request your Excellency to convey to the German Government the following expression of their views and intentions:—

If applicable to British Colonies.

The stipulations of the preceding Articles I to VI shall also be applied to the Colonies and foreign possessions of Her Britannic Majesty. In those Colonies and possessions the produce of the States of the Zollverein shall not be subject to any higher or other import duties than the produce of the United Kingdom of Great Britain and Ireland, or of any other country, of the like kind; nor shall the exportation from those Colonies or possessions to the Zollverein be subject to any higher or other duties than the exportation to the United Kingdom of Great Britain and Ireland. (Article VII.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Her Majesty's Government cannot at present make any definite declaration as to the limit of duties to be imposed, but they are prepared to give the assurance that those duties will be levied solely for the purpose of meeting the expenses necessary to enable them to carry out the obligations imposed upon them by the Protectorates, and that they will be as moderate as possible.

They are prepared to give every assurance that there shall be no differential treatment of foreigners or foreign goods.

They will be fully prepared to apply to the British Protectorates the provisions of the second paragraph of the Vth Article of the Act of Berlin, which secures protection to the persons and property of foreigners, and to engage that there shall be no differential treatment of foreigners as to settlement or access to the markets, it being understood that the regulation of these questions must be subject to administrative dispositions in the interests of commerce and of order.

They are ready to undertake that no less than four months' notice shall be given by the local authorities of the adoption of any alteration in the Tariff of duties.

I have to request your Excellency to explain that these assurances are given subject only to the receipt of a reciprocal undertaking from the German Government as regards the German Protectorates, and I shall be glad to learn from your Excellency whether the German Government are prepared to give such an undertaking.

I have, &c.
(Signed) GRANVILLE.

Duties. Protection of Persons and Property.

Count Münster to Earl Granville.—(Received June 2.)
(Translation.)

My Lord, German Embassy, London, June 2, 1885.

In your note of the 16th ultimo you communicated to me a résumé of the Rules which the British Government are prepared to observe for the regulation of trade and commerce in the territories on the Gulf of Guinea which are under their protection. You added that the engagement to carry out these Rules was made on the understanding that assurances of a similar nature would be given on the part of the Imperial Government, as to the German Protectorates on the Gulf of Guinea.

I did not omit to bring your above-mentioned note to the notice of my Government, and I am now authorized to make the following answer :—

With respect to the promises made by the British Government, the Government of His Majesty the Emperor declares itself ready to make the following engagements with regard to its Protectorates on the Gulf of Guinea :

Customs shall only be raised to such an amount as may be considered sufficient to cover the expenses arising from the taking over of the Protectorate.

The customs rates shall be fixed as low as possible, without, however, being confined to any fixed maximum.

There shall be no differential treatment of British subjects or British goods.

The conditions in section 2 of Article V of the General Act of the Berlin Conference of the 26th February last, which provided for the security of the persons and property of foreigners, shall be applicable to British subjects in German Protectorates ; and with the reservation of certain Governmental Regulations in the interests of trade and public order, no differential treatment of British subjects with regard to their establishment at or communications with the markets shall take place.

Any changes in the Customs Tariff shall be made known at least four months before their execution by the local authorities.

I have, &c.
(Signed) MÜNSTER.

Country	Date.	Subject.	When Terminable.
GERMANY (<i>continued</i>)	May and June 1885	Spheres of action in portions of Africa	.. .. .

Most-favoured-nation Treatment.

If applicable to British Colonies.

*Duties. Protection of Persons and Property.**Earl Granville to Baron Plessen.*M. le Baron, *Foreign Office, June 10, 1885.*

I HAVE the honour to request that you will be good enough to furnish me with an explanation of the point which is not altogether clear in the note from his Excellency Count Münster of the 2nd instant on the subject of the commercial relations of Great Britain and Germany in the territories in the Gulf of Guinea under their Protectorate.

In my note of the 16th May, I said that Her Majesty's Government would be ready to give every assurance that there should, in the British Protectorate, be no differential treatment of foreigners. I added that they would be prepared to engage that there should be no differential treatment as to settlement or access to the markets, it being understood that the regulation of these questions, as well as of the application of the provisions of Article V of the Act of Berlin, must be subject to administrative dispositions in the interests of commerce and of order.

In Count Münster's reply a corresponding general assurance was given as to differential treatment, and in response to the suggestion as to the additional engagement, the following words are used: "es soll . . . vorbehaltlich gewisser Verwaltungs Vorschriften im Interesse des Handels und der öffentlichen Ordnung, keine ungleiche Behandlung von Englischen Unterthanen in Bezug auf Niederlassung oder Zugang zu den Handelsmärkten gestattet sein." I have the honour to inquire whether the meaning of these words is that the equality of treatment of British subjects as to settlement or access to markets is subject to regulations to be made from time to time; and if this is the meaning, as it doubtless will have arisen from a misconception of the phrase used in my note, I have to explain that the assurance which it was intended that the two Governments should exchange was that there should be absolute equality of treatment on these points. In making the reservation respecting regulations, my object was to let it be understood that foreigners would be subject, equally with British subjects, to such rules as regards settlement and access as the Administration might think proper to impose.

I have, &c.
(Signed) GRANVILLE.

Earl Granville to Sir E. Malet.

Sir,
Foreign Office, June 16, 1885.
BARON VON PLESSSEN called to-day and stated that he had been instructed to explain, in reply to my note to Count Münster of the 10th instant, that the passage in his Excellency's note to which I had referred was meant to be a translation of the corresponding passage in my note of the 16th May. He said that he was authorized to state that the German Government understood the assurance given by them in the same sense as that in which Her Majesty's Government interpreted the assurance given on the part of England.

I am, &c.
(Signed) GRANVILLE.

Country.	Date.	Subj. et.	When Terminable.
GERMANY (<i>continued</i>) ..	Apr. 10, 1886	Trade and Commerce in Western Pacific	No time fixed
GREECE ..	Nov. 10, 1886	Commerce and Navigation	The present Treaty shall come into force on the exchange of the ratifications,* and shall remain in force for ten years, and thereafter until the expiration of a year from the day in which one or other of the Contracting Parties shall have repudiated it. Each of the Contracting Parties reserves, however, the right of causing it to terminate upon twelve months' notice being given previously It is understood that the Treaty of Commerce and Navigation concluded between Great Britain and Greece on the 4th October, 1837, is abrogated by the present Treaty. (Article XIX.)

* April 21, 1887.

Most-favoured-nation Treatment.

If applicable to British Colonies.

Ships. Import Duties.

all the British and German possessions and Protectorates in the Western Pacific the ships of both States shall in all respects reciprocally enjoy equal treatment as well as most-favoured-nation treatment, and merchandize of whatever origin imported by the subjects of either State, under whatever flag, shall not be liable to any other or higher duties than that imported by the subjects of the other State or of any third Power. (§ III.)

Import Duties.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article the produce or manufacture of the dominions and possessions of His Majesty the King of the Hellenes from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the King of the Hellenes of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than on articles produced or manufactured in any other foreign country. (Article II.)

Prohibitions.

Nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the Contracting Parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country. (Article II.)

Prohibitions, Sanitary Precautions, &c.

This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture. (Article II.)

Export Duties.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country. (Article III.)

Commerce. Navigation. Privileges, Favours, and Immunities.

The Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which either Contracting Party has actually granted or may hereafter grant to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation. (Article X.)

In this Declaration the words "possessions and Protectorates in the Western Pacific" shall not include the Colonies which now have fully constituted Governments and Legislatures. (§ VI.)

The stipulations of the present Treaty shall be applicable, as far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

- † India.
- ‡ The Dominion of Canada.
- † Newfoundland.
- † The Cape.
- * Natal.
- † New South Wales.
- * Victoria.
- * Queensland.
- * Tasmania.
- ‡ South Australia.
- * Western Australia.
- † New Zealand.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of Greece to the Hellenic Minister for Foreign Affairs, within one year from the date of the exchange of the ratifications of the present Treaty. (Article XVII.)

The present Treaty shall apply to any countries or territories which may hereafter unite in a Customs Union with one or other of the High Contracting Parties. (Article XVIII.)

* The Colonies marked thus (*) have acceded to the above Treaty.
 † Those marked thus (†) have stated that they do not desire to accede to it.
 ‡ Replies not yet received.

Country.	Date.	Subject.	When Terminable.
GREECE (continued)	.. Nov. 10, 1886	Commerce and Navigation	.. .. .. .
ITALY	.. June 15, 1888	Commerce and Navigation	The present Treaty shall come into force on the 1st July, 1888, and shall remain in force until the 1st February, 1892, and thereafter until the expiration of a year from the day in which one or other of the Contracting Parties shall have repudiated it. Each of the Contracting Parties reserves, however, the right of causing it to terminate on the 1st January, 1888, upon six months' notice being given previously. (Article XX.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Consular Officers. Privileges. Exemptions.

It shall be free to each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall enjoy all the faculties, privileges, exemptions, and immunities of every kind which are or shall be granted to Consuls of the most favoured nation. (Article XI.)

Freedom of Commerce and Navigation.

There shall be between the dominions and possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects of each of the two Parties shall have liberty freely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other to which native subjects generally are or may be permitted to come, and shall enjoy, respectively, the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation which are or may be enjoyed by native subjects, without having to pay any tax or impost greater than those paid by the same, and they shall be subject to the laws and regulations in force. (Article I.)

Import Duties.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article the produce or manufacture of the dominions and possessions of His Majesty the King of Italy, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the King of Italy of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than on articles produced or manufactured in any other foreign country. (Article II.)

Prohibitions.

Nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the Contracting Parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country. (Article II.)

Prohibitions. Sanitary Precautions, &c.

This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture. (Article II.)

Export Duties.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are or may be payable on the exportation of the like article to any other foreign country. (Article III.)

Prohibitions.

Nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country. (Article III.)

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

- † India.
- † The Dominion of Canada.
- * Newfoundland.
- † The Cape.
- * Natal.
- * New South Wales.
- * Victoria.
- * Queensland.
- * Tasmania.
- † South Australia.
- * Western Australia.
- * New Zealand.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of Italy to the Italian Minister for Foreign Affairs within one year from the date of the exchange of the ratifications of the present Treaty. (Article XIX.)

* The Colonies marked thus (*) have acceded to the above Treaty.
† Those marked thus (†) have stated that they do not desire to accede to it.

Country.		Date.	Subject.	When Terminable.						
ITALY (<i>continued</i>)	..	June 15, 1883	Commerce and Navigation	..	..	..	..	..	..	..
JAPAN	..	Oct. 14, 1854	Commerce and Navigation	No time fixed	..	..	..	..	..	..
"	..	Aug. 26, 1858	Commerce and Navigation	It is agreed that either of the High Contracting Parties to this Treaty, on giving one year's previous notice to the other, may demand a revision thereof, on or after the 1st July, 1872, with a view to the insertion therein of such amendments as experience shall prove to be desirable (Article XXII.)						
LIBERIA	..	Nov. 21, 1848	Commerce and Navigation	No time fixed	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

Commerce and Navigation. Privileges, Favours, and Immunities.

The Contracting Parties agree that, in all matters relating to commerce or navigation, any privilege, favour, or immunity whatever which either Contracting Party has actually granted or may hereafter grant to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation. (Article XI.)

Consular Officers. Privileges, Exemptions, &c.

It shall be free to each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall enjoy all the faculties, privileges, exemptions, and immunities of every kind which are or shall be granted to Consuls of the most favoured nation. (Article XII.)

Ships and Subjects. Privileges, Immunities, and Advantages.

In the ports of Japan, either now open, or which may hereafter be opened, to the ships or subjects of any foreign nation, British ships and subjects shall be entitled to admission, and to the enjoyment of an equality of advantages with those of the most favoured nation, always excepting the advantages accruing to the Dutch and Chinese from their existing relations with Japan. (Article V.)

Not applicable to British Colonies.

Consuls. Trade.

If, therefore, any other nation or people be now or hereafter permitted to enter other ports than Nagasaki and Hakodadi, or to appoint Consuls, or to open trade, or to enjoy any advantage or privilege whatever, British ships and subjects shall, as of right, enter upon the enjoyment of the same. (Exposition of Article V.)

It is hereby expressly stipulated that the British Government and its subjects will be allowed free and equal participation in all privileges, immunities, and advantages that may have been, or may be hereafter, granted by His Majesty the Tycoon of Japan to the Government or subjects of any other nation. (Article XXIII.)

Subjects. Commerce. Protection. Rights and Privileges.

There shall be reciprocal freedom of commerce between the British dominions and the Republic of Liberia. The subjects of Her Britannic Majesty may reside in, and trade to, any part of the territories of the Republic to which any other foreigners are or shall be admitted. They shall enjoy full protection for their persons and properties; they shall be allowed to buy from and to sell to whom they like, without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of sale or purchase whatever; and they shall moreover enjoy all other rights and privileges which are or may be granted to any other foreigners, subjects or citizens of the most favoured nation. The citizens of the Republic of Liberia shall, in return, enjoy similar protection and privileges in the dominions of Her Britannic Majesty. (Article II.)

Subjects. Commerce.

Applicable to the British "dominions."

Country.	Date.	Subject.	When Terminable.
LIBERIA (<i>continued</i>) ..	Nov. 21, 1848	Commerce and Navigation	.. .. .. .
MADAGASCAR ..	June 27, 1865	Commerce and Navigation	No time fixed. The present Treaty shall be ratified by Her Britannic Majesty and by Her Majesty the Queen of Madagascar, and the ratifications shall be exchanged at London or Antananarivo within the space of six months from this date. But if, at any future time, it shall seem desirable in the interests of the subjects of either of the two Contracting Parties to alter or to add to the present Treaty, such alterations or additions shall be effected with the consent of both parties. (Article XIX.) (See also Agreement of the 25th May, 1883, Article VI, p. 20.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Import Duties. Goods and Merchandize.

Merchandize or goods coming from the British dominions in any vessel, or imported in British vessels from any country, shall not be prohibited by the Republic of Liberia, nor be subject to higher duties than are levied on the same kinds of merchandize or goods coming from any other foreign country, or imported in any other vessels. (Article IV.)

Exports.

All articles the produce of the Republic may be exported therefrom by British subjects and British vessels, on as favourable terms as by the subjects and vessels of any other foreign country. (Article IV.)

Subjects. Favours, Privileges, and Immunities.

It being the intention of the two Contracting Parties to bind themselves by the present Treaty to treat each other on the footing of the most favoured nation, it is hereby agreed between them that any favour, privilege, or immunity whatever, in matters of commerce and navigation, which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects or citizens of the other Contracting Party, gratuitously, if the concession in favour of that other State shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional. (Article VII.)

Subjects. Lands, Houses, Commerce, &c. Privileges and Advantages.

The subjects of Her Britannic Majesty shall have full liberty to enter into, rent, or lease houses or lands in, trade with, and pass with their merchandize through, all parts of the dominions of Her Majesty the Queen of Madagascar which are under the control of a Governor duly appointed by the Malagasy authorities, except Ambohimanga, Ambohimananibola, and Amparafavato; and they shall enjoy therein all the privileges and advantages with regard to commerce, or with regard to any other matter whatsoever, which are now or may hereafter be granted to or allowed to be enjoyed by the subjects or citizens of the most favoured nation; and the subjects of Her Majesty the Queen of Madagascar shall, in like manner, be at liberty to enter into, rent, or lease houses or land in, trade with, and pass with their merchandize through, all parts of Her Britannic Majesty's dominions, as freely as the subjects of the most favoured nation, and they shall enjoy in those dominions all the privileges and advantages with regard to commerce, or with regard to any other matter whatever, which are now or may hereafter be granted to or allowed to be enjoyed by the subjects or citizens of the most favoured nation. (Article II.)

Holding of Land by British Subjects in Madagascar.

[Article V cancelled, and a new Article substituted for it by Declaration of the 16th February, 1883.]

Subjects. Commerce.

Applicable to "all parts of Her Britannic Majesty's dominions." (Article II.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Imports and Exports. Prohibitions.

Munitions of war shall be imported by the Queen of Madagascar alone into her dominions; but save the said munitions of war, no article whatever shall be prohibited from being imported into the territories of Her Majesty the Queen of Madagascar; nor shall any article whatever be prohibited from being exported therefrom except munitions of war and the following articles, which are forbidden by the law of Madagascar to be exported, namely, timber and cows. (Article VI.)

Customs Duties.

The trade between the dominions of Her Britannic Majesty and the dominions of Her Majesty the Queen of Madagascar shall be perfectly free, subject to a duty not exceeding 10 per cent. (Article VI.)

Tariff.

A Tariff of such duties shall be drawn up by the British Consul and by a person or persons commissioned by Her Majesty the Queen of Madagascar, and shall be submitted for the approval of Her Britannic Majesty.

Such Tariff shall be drawn up and published within one year after the exchange of the ratifications of the present Treaty.

In case any article of produce or merchandize should be inadvertently omitted from such Tariff, the duty levied on such article shall be calculated at the market value of the merchandize at the period at which the Tariff was framed. (Article VI.)

Prohibitions. Subjects and Vessels.

No prohibition shall apply to any article imported or exported by British subjects or vessels unless the prohibition apply equally to the subjects and vessels of every other foreign nation. (Article VI.)

Tonnage, Harbour, Pilotage, Lighthouse, Quarantine, and other Local Dues.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other local dues shall be imposed in the ports of the dominions of either country upon the vessels of the other country, from whatever place arriving, or whatever may be their place of destination, which shall not equally be imposed in the like cases on national vessels, or on vessels of the most favoured nation. (Article VIII.)

Holding of Land by British Subjects in Madagascar.

Article V of the Treaty between Great Britain and Madagascar of the 27th June, 1865, is cancelled, and in lieu thereof the following Article V is substituted:—

ARTICLE V.

British subjects shall be permitted, as fully as subjects of Her Majesty the Queen of Madagascar, or as subjects or citizens of the most favoured nation, to rent or lease land, houses, warehouses, and all other kinds of property within all parts of the dominions of Her Majesty the Queen of Madagascar which are under the control of a Governor duly appointed by the Malagasy authorities. Provided always, that all leases of land held by British subjects shall be registered at the British Consulate, and also by a Malagasy official appointed for that purpose; but the said provision as to registration shall not apply to any lease made before this Article shall come into force, but the registration of such lease shall be optional. And Her Majesty the Queen of Madagascar fully allows her subjects the right of renting or leasing such property according to their own

Country.	Date.	Subject.	When Terminable.
MADAGASCAR (<i>continued</i>) ..	Feb. 16, 1883	Commerce, &c. ..	.. .. .
"	May 25, 1883	Traffic in Spirituous Liquors.	Subject to the provisions of Article V, the present Agreement shall come into operation on a date to be fixed by mutual consent between the two Governments, and shall remain in force until the expiration of six months' notice given by either party to determine the same. The existing Treaty engagements between Great Britain and Madagascar shall continue in full force until the present Agreement comes into operation—and after that date, except in so far as they are modified hereby. Should the present Agreement be terminated, the Treaty engagements between Great Britain and Madagascar shall revive, and remain as they existed previously to the signature hereof. (Article VI.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

pleasure, and according to the terms of time and money which may be agreed upon between lessor and lessee. But it shall be distinctly understood that Malagasy subjects are prohibited by the laws of their country from the absolute sale of land to foreigners. British subjects shall be at liberty to build on land rented or leased by them houses of any material they please; and Her Majesty the Queen of Madagascar engages that British subjects shall, as far as lies in her power, enjoy within her dominions full and complete protection and security for themselves, and for any property which they may so acquire in future, or which they may have acquired already before the date at which the present Article shall come into force.

In the case of unreclaimed land, *i.e.*, Crown lands, British subjects shall deal directly with the Malagasy Government, which binds itself to afford all reasonable facilities to all persons desirous of leasing the same. British subjects, however, shall not be allowed to erect fortifications on such leased or rented lands, or to do anything thereon contrary to the laws of Madagascar.

All lands leased or rented by British subjects shall be subject to the same, and not to any higher, tax than that to which lands rented or leased by subjects of Her Majesty the Queen of Madagascar or subjects or citizens of the most favoured nation would be liable.

In the event of a British subject dying in Madagascar, and leaving houses, lands, or other property, the persons who are entitled thereto according to British law shall receive possession of the said property; and the British Consul, or some one appointed by the British Consul, may proceed at once to take charge of the said property on their account.

British subjects may freely engage in their service in any capacity whatever any native of Madagascar, not a slave or a soldier, who may be free from any previous engagements; such engagements may be executed by deeds signed before a British Consul and the local authorities, but are liable to be determined should the services of persons so engaged be required by the Queen, or on their own application, after due notice.

No domiciliary visits shall be made to the establishments, houses, or properties possessed or occupied by British subjects unless by the consent of the occupants, or in concert with the British Consul.

In the absence, however, of any Consular officer, the local authorities may enter, after giving due notice to the occupants, whenever there is reasonable cause to believe that stolen property or persons escaping from justice are concealed on the premises.

No British subjects residing in Madagascar shall have the right of entering the house of any subject of the Queen of Madagascar against the will of the occupants.

Importation of Spirits.

Spirits of all kinds may be imported and sold in Madagascar by British subjects on payment of the same duty as that levied by the Malagasy excise laws upon the spirits manufactured in Madagascar.

The scale of excise duty to be levied upon spirits manufactured in Madagascar shall be communicated by the Malagasy Government to Her Majesty's Consul, and no change in the excise duties shall affect British subjects until after the expiration of six months from the date at which such notice shall have been communicated by the Malagasy Government to Her Majesty's Consul. (Article I.)

Testing of Spirits.

The testing of spirits imported into the Kingdom of Madagascar by British subjects shall be carried out by properly qualified officials, nominated by the Malagasy authorities, and by an equal number of experts nominated by Her Majesty's Consul. In case of difference the parties shall nominate a third person, who shall act as umpire. (Article II.)

Spirits coming from any part of Her Britannic Majesty's dominions shall enjoy the same privileges in all respects as similar articles coming from any other country the most favoured in this respect. (Article V.)

Country.	Date.	Subject.	When Terminable.
MADAGASCAR (<i>continued</i>) ..	May 25, 1883	Traffic in Spirituous Liquors	.. .. .. .. ..
MEXICO	Nov. 27, 1888	Commerce and Navi- gation	The present Treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications; and in case neither of the two Contracting Parties shall have given notice, twelve months before the expiration of the said period of ten years, of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice. (Article XVI.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Deleterious Spirits : Destruction.

The Malagasy Government may stop the importation by British subjects into Madagascar of any spirits which, on examination, shall be proved to be deleterious to the public health ; and they may give notice to the importers, consignees, or holders thereof to export the same within three months from the date of such notice, and if this is not done the Malagasy Government may seize the said spirits and may destroy them, provided always that in all such cases the Malagasy Government shall be bound to refund any duty which may have been already paid thereon. The testing of spirits imported by British subjects, and which may be alleged to be deleterious, shall be carried out in the manner provided by Article II.

The Malagasy Government engage to take all necessary measures to prohibit and prevent the sale of spirits manufactured in Madagascar which may be deleterious to the public health. (Article III.)

Spirit Licences.

Any British subject who desires to retail spirituous liquors in Madagascar must take out a special licence for that purpose from the Malagasy Government, which shall not be refused without just and reasonable cause.

This licence may be granted upon conditions to be agreed upon from time to time between the two Governments. (Article IV.)

Importation and Sale of Spirits.

British subjects shall at all times enjoy the same rights and privileges in regard to the importation and sale of spirits in Madagascar as the subjects of the most favoured nation ; and spirits coming from any part of Her Britannic Majesty's dominions shall enjoy the same privileges in all respects as similar articles coming from any other country the most favoured in this respect.

It is therefore clearly understood that British subjects are not bound to conform to the provisions of the present Agreement to any greater extent than the subjects of other nations are so bound. (Article V.)

Subjects. Commerce. Navigation.

The Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever, which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party, it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation. (Article II.)

Import Duties. Produce and Manufacture.

The produce and manufactures of the dominions and possessions of Her Britannic Majesty which are imported into the United States of Mexico, and the produce and manufactures of Mexico

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
New South Wales.
Victoria.
South Australia.
Western Australia.
Queensland.
Tasmania.
New Zealand.
The Cape.
Natal.

Most-favoured-nation Treatment.

which are imported into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and, in particular, shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures, and goods of any third country the most favoured in this respect. No other or higher duties shall be levied in Mexico on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty on the exportation of any goods to Mexico, than may be levied on the exportation of the like goods to any third country the most favoured in this respect.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, re-exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favoured in this respect.

In like manner, in all that relates to local dues, customs formalities, brokerage, patterns, or samples introduced by commercial travellers, and all other matters connected with trade, British subjects in Mexico, and Mexican citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favoured-nation treatment.

In the event of any changes being made in Mexican laws, Customs Tariff or Regulations, sufficient notice shall be given, in order to enable British subjects to make the necessary arrangements for meeting them.

The Mexican authorities shall, moreover, deal equitably with all cases arising from unintentional ignorance of any of the changes above mentioned. (Article III.)

Vessels. Cargoes.

British ships and their cargoes shall, in Mexico, and Mexican vessels and their cargoes shall, in the dominions and possessions of Her Britannic Majesty, from whatever place arising, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as ships and cargoes of the most favoured nation.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and, generally, to all matters connected with navigation.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the law of Mexico, are to be deemed Mexican vessels, shall, for the purposes of this Treaty, be respectively deemed British or Mexican vessels.

For the same purpose shall be considered as ports of each of the Contracting Parties those which are, or hereafter may be, declared open by the respective Governments for import or export trade.

The two Contracting Parties agree to consider, as a limit of their territorial waters on their respective coasts, the distance of 3 marine leagues reckoned from the line of low-water mark. Nevertheless, this stipulation shall have no effect, excepting in what may relate to the observance and application of the Custom-house Regulations and the measures for preventing smuggling, and cannot be extended to other questions of civil or criminal jurisdiction, or of international maritime law. (Article IV.)

Subjects. Residence. Property.

The subjects or citizens of each of the Contracting Parties shall be permitted to reside, permanently or temporarily, in the dominions or possessions of the other, and to occupy and hire

If applicable to British Colonies.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions, on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Mexico to the Mexican Minister for Foreign Affairs within two years from the date of the exchange of the ratifications of the present Treaty. (Article XIV.)

Country.	Date.	Subject.	When Terminable.							
MEXICO (<i>continued</i>)	.. Nov. 27, 1888	Commerce and Navigation	..	..	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

houses and warehouses for purposes of commerce, whether wholesale or retail. They shall also be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable, as far as the laws of each country will permit. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as natives of the country. Their heirs and legal representatives may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as natives of the country.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by natives of the country.

In every case the subjects or citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof, if sold, freely and without being subjected on such exportation to pay any duty different from that to which natives of the country are liable under similar circumstances.

The citizens or subjects of each one of the Contracting Parties, who may be residing, temporarily or permanently, in the dominions and possessions of the other, are subject to the laws of the country where they reside, especially to those which determine the rights and obligations of foreigners, on the same conditions as those of the citizens or subjects of the most favoured nation. (Article V.)

Protection of Persons and Property.

The subjects or citizens of either of the two Contracting Parties residing in the dominions and possessions of the other shall enjoy, in regard to their houses, persons, and properties, the protection of the Government in as full and ample a manner as the subjects or citizens of the most favoured nation.

In like manner the subjects or citizens of each Contracting Party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief. (Article VIII.)

Patents, Trade-marks, &c.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as natives, or as subjects or citizens of the most favoured nation, in regard to patents for inventions, trade-marks, and designs, upon fulfilment of the formalities prescribed by law. (Article IX.)

Consular Privileges, &c.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in towns or ports in the dominions and possessions of the other Power, each one of them reserving the right of excepting those places where it may not appear convenient to admit them whenever this exception is extended to the Consular functionaries of all other nations.

Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to Consular officers of the most favoured nation.

The archives and official papers of Consular functionaries shall be respected as inviolable, without the authorities of the country being able, on any account, to seize them, or take note of their contents. (Article X.)

Country.	Date.	Subject.	When Terminable.
MONTENEGRO ..	Jan. 21, 1882	Commerce and Navigation	The present Treaty shall be ratified, and the ratifications exchanged at Cetinje, as soon as possible after its signature. It shall come into force immediately after the exchange of ratifications, and shall remain in force for ten years from that date.* In case neither of the two Contracting Parties shall have given notice, twelve months before the expiration of the said period of ten years, of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice. (Article XV.)

* Ratifications exchanged 14th May, 1882.

Most-favoured-nation Treatment.

Residence. Commerce. Trade. Imposta. Taxes.

British subjects who reside temporarily or permanently in Montenegro, and Montenegrin subjects who reside temporarily or permanently in the United Kingdom of Great Britain and Ireland, shall enjoy therein, with respect to residence, and the exercise of commerce and trade, the same rights as, and shall not be subject to any higher or other imposts or taxes, whether general, municipal, or local, than natives, or the subjects of any other country the most favoured in this respect, by either of the Contracting Parties. (Article I.)

Acquisition, Disposal, &c., of Real Property. Access to Courts of Law. Domiciliary Visits.

British subjects in Montenegro, and Montenegrin subjects in the United Kingdom of Great Britain and Ireland, shall enjoy the same treatment as natives, or as is now granted, or may hereafter be granted, to the subjects of any other country the most favoured in this respect, with regard to the acquisition, the holding, and the disposal of real property, and all charges on it; with regard to access to Courts of Law, and in the prosecution and defence of their rights; and in regard to domiciliary visits to their dwellings, manufactories, warehouses, or shops. (Article I.)

Military Service, &c. Forced Loans. Judicial and Municipal Functions.

They shall be exempted from billeting, and from all compulsory military service, whether in the army, navy, national guards, or militia. They shall be likewise exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for billeting, and personal service; and finally, from forced loans and military exactions, or requisitions, as well as from all judicial or municipal functions whatever, other than those imposed by the laws relating to juries. (Article I.)

Import and Export Duties. Produce and Manufactures (Frontier Traffic excepted).

The produce and manufactures of, as well as all goods coming from, the United Kingdom of Great Britain and Ireland, which are imported into Montenegro, and the produce or manufactures of, as well as all goods coming from, Montenegro, which are imported into the United Kingdom of Great Britain and Ireland, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as and, in particular, shall be subject to no higher or other duties or surcharges, whether general, municipal, or local, than the produce, manufactures, and other goods of any third country the most favoured in this respect, except as regards such special facilities as have been, or may hereafter be, conceded on the part of Montenegro to the neighbouring States, with respect to the traffic in local produce and manufactures between their contiguous frontier districts. No other or higher duties shall be levied in Montenegro on the exportation of any goods to the United Kingdom of Great Britain and Ireland, or in the United Kingdom of Great Britain and Ireland on the exportation of any goods to Montenegro, than may be levied on the exportation of any like goods to any third country the most favoured in this respect. (Article II.)

Prohibitions.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, or transit, against the other, which shall not under like circumstances be applicable to any third country the most favoured in this respect. (Article II.)

If applicable to British Colonies.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named that is to say, except to—

- The Dominion of Canada.
- Newfoundland.
- * The Cape.
- * Natal.
- New South Wales.
- Victoria.
- Queensland.
- Tasmania.
- * South Australia.
- * Western Australia.
- New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of Montenegro to the Montenegrin Minister for Foreign Affairs, within one year from the date of the exchange of the ratifications of the present Treaty. (Article XIV.)

The Montenegrin Government opens to the produce and manufactures of the United Kingdom of Great Britain and Ireland, and to the produce and manufactures of British Colonies and foreign possessions, all its ports, harbours, and all landing-places, or quays on its rivers or other waters, where merchandise is permitted to be landed, and all custom-houses, free of all custom-house duties and charges, but without prejudice to the stipulations of Articles III, VIII, and XII of this present Treaty. (Article VI.)

* These Colonies have expressed a wish not to be included within the stipulations of this Treaty.

Country.	Date.	Subject.	When Terminable.					
MONTENEGRO (<i>continued</i>) ..	Jan. 21, 1882	Commerce and Navigation	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

Local Dues, Customs Formalities, Brokerage, Patterns, and Samples. Trade.

In like manner all that relates to local dues, Customs formalities, brokerage, patterns or samples introduced by commercial travellers, and all other matters connected with trade, British subjects in Montenegro, and Montenegrin subjects in the United Kingdom of Great Britain and Ireland, shall enjoy the most-favoured-nation treatment. (Article II.)

Non-payment of Duties or Charges on Produce or Manufactures, except Dues for Custom-house Portorage, Public Weighing, and Maintenance, &c., of Quays and Custom-house Buildings.

All British produce or manufactured goods shall be imported into Montenegro free of all duties or charges, with the exception only of such dues as shall be levied for custom-house portorage, public weighing, and for the maintenance and improvement of quays and custom-house buildings.

And any reduction in these dues, granted to the goods or manufactures of any third Power, shall be at once and unconditionally extended to British produce or manufactured goods.

The Montenegrin Government reserves, however, the right of levying an import duty on British manufactures and produce, when it shall deem it expedient. Nevertheless, the Montenegrin binds itself to give the British Government previous notice of such decision six months before the measure is put in force, and engages further that such rate of duty shall not exceed 8 per cent. *ad valorem*.

The Montenegrin Government engages, moreover, not to levy any such duties except when they are also applicable to the like manufactures and products of all other foreign countries. (Article III.) (See Protocol, p. 35.)

Prohibited Goods.

The following articles are excepted from the right of free importation into Montenegro, viz. :—

- Arms of all kinds.
- Gunpowder and other explosives.
- Munitions of war.
- Salt.
- Saltpetre.
- Sulphur.
- Spirits.
- Tobacco.
- Wines.

The above products shall be subject in Montenegro to the same conditions as the like products of any third Power the most favoured in this respect. (Article III.)

Landing-places.

The Montenegrin Government opens to the produce and manufactures of the United Kingdom of Great Britain and Ireland, and to the produce and manufactures of British Colonies and foreign possessions, all its ports, harbours, and all landing-places or quays on its rivers or other waters, where merchandise is permitted to be landed, and all custom-houses, free of all custom-house duties and charges, but without prejudice to the stipulations of Articles III, VIII, and XII of this present Treaty. (Article VI.)

Excise Taxes or Inland Duties.

one of the Contracting Parties shall impose an excise tax, that is to say, an inland duty, upon any article of home production or manufacture, an equivalent compensatory duty may be imposed on articles of the same description on their importation from the territories of the other Power, provided that the said equivalent duty is levied on like articles on their importation from all foreign countries.

Country.	Date.	Subject.	When Terminable.						
MONTENEGRO (<i>continued</i>) ..	Jan. 21, 1882	Commerce and Navigation	..	..	..	..	..	..	..

Most-favoured-nation Treatment.

In the event of the reduction or suppression of excise taxes, that is to say, inland duties, a corresponding reduction or suppression shall at the same time be made in the equivalent compensatory duty on manufactures of British or Montenegrin origin, as the case may be. (Article VII.)

Subjects and Commerce. Favours and Immunities. Frontier Traffic excepted.

Every favour or immunity which has been, or may hereafter be, granted by one of the Contracting Parties to the subjects or commerce of a third Power, shall be granted simultaneously and unconditionally to the other, except as regards such special facilities as have been, or may hereafter be, conceded on the part of Montenegro to the neighbouring States with respect to the local traffic between their conterminous frontier districts. (Article VIII.)

Trade-marks, &c. Patterns and Designs for Manufactures.

British subjects in Montenegro, and Montenegrin subjects in the United Kingdom of Great Britain and Ireland, shall enjoy the same rights as natives, or as are now granted, or may hereafter be granted, to the subjects of any third Power the most favoured in this respect, in everything relating to the property in trade-marks, or trade-labels, or tickets, as well as in patterns or designs for manufactures.

It is understood that any person who desires to obtain the aforesaid protection must fulfil the formalities required by the laws of the respective countries. (Article IX.)

Consular Officers. Privileges, Exemptions, &c.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in the towns and ports of the Contracting Parties where the Consular officers of these different classes of the most favoured nation have received or may receive authorization to reside. Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to Consular officers of the most favoured nation. (Article X.)

Freights, &c., on Goods conveyed by Railways or Public Roads.

It is agreed that, as regards freights and all other facilities, British goods conveyed over Montenegrin railways or publicly-constructed high roads, and Montenegrin goods conveyed over British railways, shall be treated in exactly the same manner as the goods of any other nation the most favoured in that respect. (Article XI.)

Ships and Cargoes.

British ships and their cargoes shall in Montenegro, and Montenegrin ships and their cargoes in the United Kingdom of Great Britain and Ireland, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, shall be treated in every respect as national ships and their cargoes. (Article XII.)

Port, Dock, Harbour, Pilotage, and other Dues.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and generally to all matters connected with navigation, without prejudice to the Rules and Regulations of the Maritime and Sanitary Police and of the Maritime Code in force in Montenegro. (Article XII.)

If applicable to British Colonies.

Country.	Date.	Subject.	When Terminable.
MONTENEGRO (<i>continued</i>) ..	Jan. 21, 1882	Commerce and Navigation	.. .. .. .. ..
MOROCCO	Dec. 9, 1856	General Treaty 5.	No time fixed. When the ratifications of the present Treaty, and of the Convention of Commerce and Navigation which has also been concluded this day between the High Contracting Parties, shall have been exchanged,* the stipulations of the said Treaty and Convention shall come into immediate operation, and shall be substituted for the stipulations of all preceding Treaties between Great Britain and Morocco.

* Sultan's ratification attached to the original Treaty. The Queen's ratification delivered to the Moorish Plenipotentiary, April 8, 1857.

Most-favoured-nation Treatment.

If applicable to British Colonies.

Ships and Cargoes. Favours and Exemptions.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the laws in force in Montenegro, are to be deemed Montenegrin vessels, shall, for the purposes of this Treaty, be respectively deemed British and Montenegrin vessels. (Article XII.)

Interior Tax on Sales of Goods and Manufactures.

The Undersigned, Plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Highness the Prince of Montenegro, having met in Conference, have taken into consideration the following subject:—

They have directed their attention to the fact that, although, by Article III of the Treaty signed this day between Her Britannic Majesty and the Prince of Montenegro, all British produce or manufactured goods shall be imported into Montenegro free of all duties or charges, with the exception only of such dues as shall be levied for custom-house portorage, public weighing, and for the maintenance and improvement of quays and custom-house buildings, yet that British goods and manufactures are actually subjected to a tax of 4 per cent., through the levying of the existing interior duty to this amount on all sales of foreign goods. They have consequently resolved to declare that, whenever the Montenegrin Government puts in force its reserved right, contained in paragraph 3 of Article III of the Treaty, of levying an import duty not exceeding 8 per cent. *ad valorem* on British produce and manufactures, the above-mentioned interior tax of 4 per cent. on sales effected in the Principality shall at once cease to be leviable.

They further declare that the said existing interior tax on sales of foreign goods and manufactures shall not be raised above 4 per cent., and that any reduction in this tax granted to the goods and manufactures of any third Power shall at once and unconditionally be extended to British produce or manufactures. (Protocol.)

Diplomatic Agents and Consuls.

The British Chargé d'Affaires or other Political Agent accredited by the Queen of Great Britain to the Sultan of Morocco, as also the British Consuls who shall reside in the dominions of the Sultan of Morocco, shall always have respect and honour paid to them suitable to their rank. Their houses and families shall be safe and protected. No one shall interfere with them, or commit any act of oppression or disrespect towards them, either by words or by deeds; and if any one should do so he shall receive a severe punishment, as a correction to himself and a check to others.

They themselves and their deputies or Vice-Consuls shall be entitled, in the most ample sense, to every privilege which is now enjoyed, or may in future be granted, to the Consul of any other nation. (Article III.)

Subjects. Personal Privileges.

With respect to the personal privileges to be enjoyed by the subjects of Her Britannic Majesty in the dominions of the Sultan of Morocco, His Shereefian Majesty engages that they shall have a free and undoubted right to travel and to reside

Subjects.

Applicable to the British "dominions." (Article IV.)

Country.	Date.	Subject.	When Terminable.
Morocco (<i>continued</i>) ..	Dec. 9, 1856	General Treaty . . .	.. .. . . . . .
..	Dec. 9, 1856	Commerce and Navigation	No time fixed. In order that the two High Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects, it is agreed that at any time after the expiration of five years from the date of the exchange of the ratifications* of the present Convention of Commerce and Navigation, either of the High Contracting Parties shall have the right to call upon the other to enter upon a revision of the same ; but until such revision shall have been accomplished by common consent, and a new Convention shall have been concluded and ratified, the present Convention shall continue and remain in full force and effect. When the ratifications of the present Convention and of the said General Treaty shall have been exchanged, the stipulations of the said Convention and Treaty shall come into operation within four months, and shall be substituted for the stipulations of all preceding Treaties between Great Britain and Morocco (Article XIV.)

* See note on p. 35.

Most-favoured-nation Treatment.

in the territories and dominions of His said Majesty, subject to the same precautions of police which are practised towards the subjects or citizens of the most favoured nations.

Her Britannic Majesty, on her part, engages to ensure the enjoyment of the same protection and privileges to the subjects of His Majesty the Sultan of Morocco, within her dominions which are or may be enjoyed by the subjects of the most favoured nation. (Article IV.)

Subjects. Rights and Privileges. Commerce and Navigation.

All British subjects, whether Mahommedans, Jews, or Christians, shall alike enjoy all the rights and privileges granted by the present Treaty and the Convention of Commerce and Navigation which has also been concluded this day, or which shall at any time be granted to the most favoured nation. (Article XIII.)

Subjects. Rights and Privileges. Commerce and Navigation.

The subjects of the Queen of Great Britain, and those who are under her government or protection, shall have the full benefit of the privileges and of the particular favours granted by this Treaty, and which may be allowed to the subjects of other nations that are at war with Great Britain; and if after this date any other privileges shall be granted to any other Power, the same shall be extended and apply to and in favour of all British subjects in every respect as to the subjects of such other Power. (Article XX.)

Commerce. Subjects. Houses and Warehouses. Protection.

There shall be reciprocal freedom of commerce between the British dominions and the dominions of the Sultan of Morocco. The subjects of Her Britannic Majesty may reside in and trade to any part of the territories of the Sultan of Morocco to which any other foreigners are or shall be admitted.

They shall be permitted to hire houses, and to build houses, stores, or warehouses, as stipulated in Article IV of the General Treaty of this date. (Article I.)

Persons. Property.

They shall enjoy full protection for their persons and properties, as specified in Article IV of the General Treaty; they shall be allowed to buy from, and to sell to, whom they like, all articles not prohibited in Article II of this Convention, either by wholesale or retail, at all places in the Moorish dominions, without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of purchase or sale whatever, except the articles of export and those of import enumerated in Article II. (Article I.)

Subjects. Rights and Privileges.

And they shall, moreover, enjoy all other rights and privileges which hereafter may be granted to any other foreigners, subjects, or citizens of the most favoured nation.

The subjects of the Sultan of Morocco shall, in return, enjoy in the dominions of Her Britannic Majesty the same protection and privileges which are or may be enjoyed by the subjects or citizens of the most favoured nation. (Article I.)

Prohibitions. Import Duties.

Merchandize or goods, except the articles enumerated in Article II, imported by British subjects in any vessel, or from any country, shall not be prohibited in the territories of the Sultan of Morocco, nor be subject to higher duties than are levied on the same kind of merchandize or goods imported by the subjects of any other foreign Power, or by native subjects, after the date of this Convention. (Article VI.)

If applicable to British Colonies.

Subjects. Trade.

Applicable to the British "dominions," (Article I.)

Country.	Date.	Subject.	When Terminable.
Morocco (<i>continued</i>) ..	Dec. 9, 1856	Commerce and Navigation	.. .. .. .. ..
MUSCAT ..	Mar. 19, 1891	Commerce and Navigation	After the lapse of twelve years from the date on which this Treaty shall come into force, and on twelve months' notice given by either Party, this Treaty shall be subject to revision by Plenipotentiaries appointed on both sides for this purpose, who shall be empowered to decide on and adopt such amendments as experience shall prove to be desirable. (Article XXIII.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Export Duties.

All articles, except those enumerated in Article II, the produce of Morocco, may be exported therefrom by British subjects in any vessels, on as favourable terms as by the subjects of any other foreign country, or by native subjects.

Should the Sultan of Morocco think proper to reduce the duties on articles of exportation, His Majesty shall have the right of doing so, on condition that British subjects shall pay the lowest duty that shall be paid by any other foreign or native subjects. (Article VI.)

Subjects, Commerce, Shipping.

Subjects of Her Britannic Majesty shall, for the purposes of this Treaty, include subjects of native States in India in alliance with Her Majesty. Such subjects shall enjoy, immediately and unconditionally, throughout the dominions of His Highness the Sultan of Muscat, with respect to commerce, shipping, and the exercise of trade, as in every other respect, all the rights, privileges, immunities, advantages, and protection of whatsoever nature, which are, or hereafter may be, enjoyed by, or accorded to, the subjects or citizens of the most favoured nation.

They shall more especially not be liable to other or more onerous duties, imposts, restrictions, or obligations of whatever description, than those to which subjects or citizens of the most favoured nation now are, or hereafter may be, subjected. (Article II.)

Appointment of Consuls, &c.

The two High Contracting Parties acknowledge reciprocally to each other the right of appointing Consuls to reside in each other's dominions wherever the interests of commerce may require the presence of such officers; and such Consuls shall at all times be placed, in the country in which they reside, on the footing of the Consuls of the most favoured nations. Each of the High Contracting Parties further agree to permit his own subjects to be appointed to Consular offices by the other Contracting Party, provided always that the person so appointed shall not begin to act without the previous approbation of the Sovereign whose subjects they may be. The public functionaries of either Government residing in the dominions of the other shall enjoy the same privileges, immunities, and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries. (Article III.)

Import Duties.

His Highness the Sultan shall be permitted to levy a duty of entry not exceeding 5 per cent. on the value of all goods and merchandize, of whatever description, imported by sea from foreign countries into His Highness' dominions. This duty shall be paid at that port in His Highness' dominions where the goods are first landed, and, on payment thereof, such goods shall thereafter be exempt, within the Sultan's dominions, from all other customs duties or taxes, levied by, or on behalf of, the Government of His Highness the Sultan, by whatever names these may be designated, and no higher import duty shall be claimed from British subjects than that which is paid by subjects or citizens of the most favoured nation.

This duty, once paid, shall cover, from all other charges on the part of His Highness the Sultan, goods of whatever description coming from foreign countries by sea, whether these are intended for local consumption or for transmission elsewhere in bulk or otherwise, and whether they remain in the state in which they are imported or have been manufactured.

There shall, however, be exempted from payment of all duty the following, namely:—

1. All goods and merchandize which, being destined for a foreign port, are transhipped from one vessel to another in any of the ports of His Highness the Sultan of Muscat, or which have

.. .. .

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada.
Newfoundland.
The Cape of Good Hope.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Muscat to His Highness the Sultan within two years from the date of exchange of the ratifications of the present Treaty. (Article XXI.)

Country.	Date.	Subject.	When Terminable.
USCAT (<i>continued</i>) ..	Mar. 19, 1891	Commerce and Navigation	.. .. .. ..
NETHERLANDS	Mar. 17, 1824	Commercial Inter- course. Colonies	No time fixed
..	Oct. 27, 1837	Commerce and Navigation	The present Treaty shall be in force for the term of ten years from the date hereof, and further until the end of twelve months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the High Contracting Parties reserving to itself the right of giving such notice to the other at the end of the said term of ten years. And it is hereby agreed between them that, at the expiration of twelve months after such notice shall have been received by either party from the other, this Treaty and all the provisions thereof shall altogether cease and determine. (Article VII.)

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been for this purpose provisionally landed and deposited in any of the Sultan's custom-houses to await the arrival of a vessel in which to be reshipped aboard. But goods and merchandize so landed shall be exempted only, provided that the consignee or his agent shall have, on the arrival of the ship, handed over the said goods to be kept under Customs seal, and declared them as landed for transshipment, designating at the same time the foreign port of destination, and also provided that the said goods are actually shipped for the said foreign port as originally declared, within a period not exceeding six months after their first landing, and without having, in the interval, changed owners.

2. All goods and merchandize which, not being consigned to a port within the dominions of the Sultan, have been inadvertently landed, provided that such goods are reshipped within a month of being so landed and transported abroad. Should, however, such goods or merchandize, here spoken of, be opened or removed from the custody of the Customs authorities, the full duty shall then be payable on the same.
3. Coals, naval provisions, stores, and fittings, the property of Her Majesty's Government, landed in the dominions of His Highness for the use of the ships of Her Majesty's navy.
4. All goods and merchandize transhipped or landed for the repair of damage caused by stress of weather or other disaster at sea, provided the cargo so discharged shall be reshipped and taken away on board the same vessel, or if the latter shall have been condemned, or her departure delayed, in any other manner. (Article VI.)

..

Subjects. Duties. Taxes. Imposts. Rights. Privileges. Favours, Immunities, and Exemptions.

There shall be reciprocal liberty of commerce and navigation between and amongst the subjects of the two High Contracting Parties, and the subjects of the two Sovereigns respectively shall not pay in the ports, harbours, roads, cities, towns, or places whatsoever in either kingdom any other or higher duties, taxes, or imposts, under whatsoever names designated or included, than those which are there paid by the subjects of the most favoured nation; and the subjects of each of the High Contracting Parties shall enjoy the same rights, privileges, liberties, favours, immunities, and exemptions in matters

If applicable to British Colonies.

Subjects. Commercial Intercourse. Eastern Archipelago. India. Ceylon.

The High Contracting Parties engage to admit the subjects of each other to trade with their respective possessions in the Eastern Archipelago, and on the Continent of India, and in Ceylon, upon the footing of the most favoured nation; their respective subjects conforming themselves to the local regulations of each Settlement. (Article I.)

The High Contracting Parties engage that no Treaty hereafter made by either with any native Power in the Eastern Seas shall contain any Article tending, either expressly or by the imposition of unequal duties, to exclude the trade of the other party from the profits of such native Power; and that if, in any Treaty now existing on either part, any Article to that effect has been admitted, such Article shall be abrogated upon the conclusion of the present Treaty.

It is understood that, before the conclusion of the present Treaty, communication has been made by each of the Contracting Parties to the other of all Treaties or engagements subsisting between each of them, respectively, and any native Power in the Eastern Seas; and that the like communication shall be made of all such Treaties concluded by them respectively hereafter. (Article III.)

The Molucca Islands, and especially Amboyna, Banda, Ternate, and their immediate dependencies, are excepted from the operation of the Ist, IInd, IIIrd, and IVth Articles, until the Netherlands Government shall think fit to abandon the monopoly of spices; but if the said Government shall, at any time previous to such abandonment of the monopoly, allow the subjects of any Power, other than a native Asiatic Power, to carry on any commercial intercourse with the said islands, the subjects of His Britannic Majesty shall be admitted to such intercourse upon a footing precisely similar. (Article VII.)

Not applicable to British Colonies.

Declaration made by the Plenipotentiary of Her Britannic Majesty on the exchange of the Ratifications of the Treaty of the 27th October, 1837.

In proceeding to the exchange of the ratifications of the Treaty of Commerce and Navigation between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the King of the Netherlands, concluded and signed at

Country.	Date.	Subject.	When Terminable.
NETHERLANDS (<i>continued</i>) ..	Oct. 27, 1837	Commerce and Navigation	.. .. .. .
.. ..	Mar. 27, 1851	Commerce and Navigation	If any Act should hereafter be passed by the Legislature of either country, by which any of the privileges in regard to navigation and commerce which are respectively conceded by the British Act of Parliament of the 12th and 13th Vict., cap. 29, and by the Netherland Law of the 8th August, 1850, should be withdrawn, then and in such case, either of the High Contracting Parties shall be at liberty to terminate the present Convention, on giving to the other six weeks' notice of its wish to that effect. (Article III.) The present Convention shall be considered as additional to the above-mentioned Treaty of the 27th October, 1837, and shall have the same duration as that Treaty, unless in the case provided for by Article III preceding. It shall be ratified, and the ratifications shall be exchanged at London as soon as may be within the space of four weeks from the date of its signature. (Article IV.)
.. ..	Mar. 6, 1856	..	The present Convention shall continue in force for five years from the date of the exchange of the ratifications,* which shall take place at the Hague as soon as possible within the period of two months. In case neither of the Contracting Parties should have given notice to the other twelve months before the expiration of the said period of five years of its intention to put an end to the Convention, it shall continue in force a year longer, and so on from year to year, each party being at liberty to give the year's notice at the expiration of four years, or of any subsequent year. (Article XIV.)

* April 29, 1856.

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of commerce and navigation that are granted, or may hereafter be granted, in either kingdom to the subjects of the most favoured nation. (Article I.)

Import Duties on Goods.

No duty of customs or other impost shall be charged upon any goods the produce of one country upon importation by sea or by land from such country into the other higher than the duty or impost charged upon goods of the same kind the produce of, or imported from, any other country; and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, do hereby bind and engage themselves not to grant any favour, privilege, or immunity in matters of commerce and navigation to the subjects of any other State which shall not be also, and at the same time, extended to the subjects of the other High Contracting Party gratuitously if the concession in favour of that other State shall have been gratuitous, and on giving as nearly as possible the same compensation or equivalent, in case the concession shall have been conditional. (Article I.)

If applicable to British Colonies.

the Hague on the 27th October, 1837, the Undersigned, Plenipotentiary of Her Britannic Majesty, is commanded by Her Majesty to explain and declare that Her Majesty has ratified the said Treaty, notwithstanding that the Preamble thereof contains the words "in Europe," which Her Majesty's Government had objected to as redundant; but that Her Majesty considers those words to be without meaning so far as Her Majesty's dominions are concerned, because those words appear to establish a distinction between a kingdom in Europe and a kingdom out of Europe; whereas by the word "kingdom" in the said Treaty, Her Majesty, as far as regards her own territories, means only the United Kingdom of Great Britain and Ireland, which is well known to be in Europe, and does not mean any of the possessions of Her Majesty's Crown beyond sea. Her Majesty's ratification of the said Treaty is exchanged under the explicit declaration and understanding above mentioned.

Done at the Hague, the 22nd day of November, 1837.

(L.S.) EDWARD CROMWELL DISBROWE.

Counter-Declaration of the Plenipotentiary of His Majesty the King of the Netherlands.

The Plenipotentiary of Her Britannic Majesty having, previously to the exchange of the ratifications of the Treaty of Commerce and Navigation concluded on the 27th October, 1837, between His Majesty the King of the Netherlands and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, delivered to the Undersigned, Plenipotentiary of His Majesty the King of the Netherlands, a Declaration stating that Her Britannic Majesty had not in view in the said Treaty the possessions of her Crown beyond sea; the Undersigned is charged by His Majesty the King of the Netherlands to declare that His said Majesty accepts the above-mentioned Declaration, and that he likewise, on his part, has not meant to comprise in the said Treaty the possessions of his Crown beyond sea.

With regard to the observations made as to the use of the words "in Europe," the Cabinet of the Hague is of opinion that their interpretation is to be found in the circumstance that the phrase "in Europe" applies to the word "ports," and not to the word "kingdom."

The Hague, the 22nd November, 1837.

(L.S.) VERSTOLK DE SOELEN.

Consuls.

The Consuls-General, Consuls, and Vice-Consuls of one of the two Contracting Parties in the Colonies or possessions of the other shall enjoy the same privileges which are or may be there granted to Agents of the same character belonging to the most favoured nation; and specially they shall, unless subjects of the country be exempt from all military service, and from military requisitions, as well as from all pecuniary compositions in lieu of military service.

Exemption from taxation shall, however, not be claimed for any such Consul-General, Consul, or Vice-Consul, who may be a subject of the country, or engaged in any profession, occupation, or business besides his Consular duties; nor unless a corresponding exemption be enjoyed by Consular Agents of that country of the same description in the Colonies and foreign possessions of the other. (Article XIII.)

Country.	Date.	Subject.	When Terminable.
NETHERLANDS (<i>continued</i>)..	Aug. 15, 1889	Commerce and Navigation	(See Treaty, October 27, 1837, p. 38)
PARAGUAY	Oct. 16, 1884	Commerce and Navigation	The present Treaty shall continue in force during ten years counted from the date of the exchange of the ratifications;* and in case neither of the two Contracting Parties shall have given notice twelve months before the expiration of the said period of ten years of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice. (Article XVI.)

* May 10, 1886.

Most-favoured-nation Treatment.

Customs Regulations.

Article IV of the above-mentioned Treaty of the 27th October, 1837, is cancelled, and the following provision is substituted therefor:—As regards the calculation of *ad valorem* duties, and all other questions of Customs Regulations, Dutch goods imported into the United Kingdom of Great Britain and Ireland, and British goods imported into the Netherlands, shall be treated respectively in the same manner as goods of the most favoured nation in these respects. (Article I.)

Commerce and Navigation.

The Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which either Contracting Party has actually granted or may hereafter grant to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation. (Article II.)

Import Duties.

The produce and manufactures of, as well as all goods coming from, the dominions and possessions of Her Britannic Majesty, which are imported into Paraguay, and the produce and manufactures of, as well as goods coming from Paraguay, which are imported into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and, in particular, shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures, and goods of any third country the most favoured in this respect. (Article III.★)

Export Duties.

No other or higher duties shall be levied in Paraguay on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty, on the exportation of any goods to Paraguay than may be levied on the exportation of the like goods to any third country the most favoured in this respect. (Article III.)

Prohibitions.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favoured in this respect. (Article III.)

Local Dues, Customs Formalities, Brokerage, Patterns, &c. Trade.

In like manner, in all that relates to local dues, Customs formalities, brokerage, patterns or samples introduced by commercial travellers, and all other matters connected with trade, British subjects in Paraguay, and Paraguayan citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favoured-nation treatment. (Article III.)

Ships and Cargoes.

British ships and their cargoes shall in Paraguay, and Paraguayan vessels and their cargoes shall in the dominions and possessions of Her Britannic Majesty, from whatever place arriving and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes. (Article IV.)

Port, Harbour, Pilotage, &c., Dues.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and generally to all matters connected with navigation.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

* See Protocol, p. 41.

If applicable to British Colonies.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

- † The Dominion of Canada.
- * Newfoundland.
- § New South Wales.
- + Victoria.
- † South Australia.
- + Western Australia.
- + Tasmania.
- + Queensland.
- + New Zealand.
- + The Cape.
- * Natal.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Paraguay to the Paraguayan Minister for Foreign Affairs within two years from the date of the exchange of the ratifications of the present Treaty. (Article XV.)

Protocol.

The Undersigned Plenipotentiaries respectively of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and of the Republic of Paraguay, having met together for the purpose of exchanging the ratifications of the Treaty of Friendship, Commerce, and Navigation between the above-named Powers, signed at Assumption on the 16th day of October, 1884, and being duly empowered by their respective Governments to make the following Declaration, hereby agree that it shall be understood that Her Majesty's Indian Empire shall not be included in the operation of the Treaty, and that all the provisions and stipulations of the Treaty shall be inapplicable to Her Majesty's Indian Empire, in the same manner and to the same extent as if the said Empire had been included in the specific list of those Colonies and foreign possessions of Her Majesty contained in Article XV of the Treaty. And it is hereby agreed by the Undersigned that the understanding recorded in the present instrument shall have the same force and shall be as binding upon the High Contracting Parties as if it had been originally included in the Treaty.

In witness whereof the respective Plenipotentiaries have signed the same in duplicate, and have affixed thereto the seal of their arms.

Done at Buenos Ayres, on the 10th day of May, in the year of our Lord 1886.

(L.S.) F. J. PAKENHAM.
(L.S.) CARLOS SAGUIER.

* The Colonies marked thus (*) have acceded to the above Treaty.

† Those marked thus (†) have stated that they do not desire to accede to it.

‡ In September 1886 these Colonies expressed their desire to come within the operation of the above Articles of this Treaty.

§ No answer received.

Country.	Date.	Subject.	When Terminable.							
PARAGUAY (<i>continued</i>) ..	Oct. 16, 1834	Commerce and Navigation	..	..	..	..	..	..	..	..

Most-favoured-nation Treatment.

All vessels which according to British law are to be deemed British vessels, and all vessels which according to the law of Paraguay are to be deemed Paraguayan vessels, shall, for the purposes of this Treaty, be respectively deemed British or Paraguayan vessels. (Article IV.)

Inventions, Trade-marks, &c.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as natives, or as subjects or citizens of the most favoured nation, in regard to patents for inventions, trade-marks, and designs, upon fulfilment of the formalities prescribed by law. (Article V.)

Consular Officers, Privilege, Exemptions, &c.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in towns or ports in the dominions and possessions of the other Power. Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to Consular officers of the most favoured nation. (Article X.)

Protocol. Province of Matto-Grosso. Rivers Paraguay and Paraná.

In proceeding to the signature this day of the Treaty of Friendship, Commerce, and Navigation between Her Britannic Majesty and the Republic of Paraguay, the undersigned Plenipotentiaries of the High Contracting Parties declare that the stipulations of Article III of the said Treaty shall not be understood to confer upon the subjects of Her Britannic Majesty the exceptional privileges of free trade reserved by Article XIII of the Treaty of the 7th June, 1883, between the Republic of Paraguay and the Emperor of Brazil in favour of the Province of Matto-Grosso. The undersigned Plenipotentiaries further declare that the stipulations of Articles II and IV of the Treaty now concluded shall be understood to open the free navigation of the Rivers Paraguay and Paraná, including the coasting trade, to British vessels, but that the said stipulations shall not be understood to confer upon the owners of steamships plying between British and Paraguayan ports the right to claim any such especial privileges or subventions as either one of the High Contracting Parties shall, in the exercise of their judgment, consider it expedient to grant to other lines for specified ends and purposes.

Done in duplicate, at Assumption, this 16th day of October, in the year of our Lord 1884.

(L.S.) EDMUND MONSON.
(L.S.) JOSÉ S. DE COUD.

Subjects. Import and Export Duties. Goods and Manufactures.

The merchants of the two mighty States are reciprocally permitted and allowed to carry into each other's territories their goods and manufactures of every description, and to sell or exchange them in any part of their respective countries; and on the goods which they import or export customs duties shall be levied, that is to say, on entering the country the same amount of custom duties shall be levied, once for all, that is, levied on merchandize imported by the merchants of the most favoured European nations; and at the time of going out of the country, the same amount of custom duties which is levied on the merchandize of merchants of the most favoured European nations shall be levied from the merchants subjects of the High Contracting Parties, and except this no claim shall be made upon the merchants of the two States in each other's dominions on any pretext or under any denomination; and the merchants or persons connected with or dependent upon the High Contracting Parties in each other's dominions mutually shall receive the same aid and support and the same respect which are received by the subjects of the most favoured nations. (Article I.)

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If applicable to British Colonies.

Agreement recording the Accession to the Treaty, with the exception of Article VIII, of certain British Colonies.—Signed at Assumption, July 19, 1890.

Whereas by Article XV of the Treaty of Friendship, Commerce, and Navigation between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and his Excellency the President of the Republic of Paraguay, signed on the 16th October, 1884, the ratifications whereof were exchanged on the 10th May, 1886, provision was made for the accession to the said Treaty of certain British Colonies; and whereas the Government of Paraguay have agreed that any of the said British Colonies may accede under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article VIII of the said Treaty, the Undersigned, his Excellency Francis John Pakenham, Her Britannic Majesty's Minister Plenipotentiary to the Republic of Paraguay, and his Excellency Juan Crisóstomo Centurion, Minister for Foreign Affairs of the Republic of Paraguay, have agreed as follows:—

The following British Colonies, that is to say:

Newfoundland,
Victoria,
Western Australia,
Tasmania,
Queensland,
Cape of Good Hope, and
Natal,

accede to the said Treaty of the 16th October, 1884, under the condition that they shall not be bound by the stipulations contained in Article VIII thereof; and the provisions of the said Treaty, with the exception of Article VIII, are hereby made applicable to the said Colonies from the date of the signature of the present Agreement.

The following Colonies have not acceded to the Treaty:—

1. South Australia.
2. New South Wales.
3. Canada.
4. New Zealand.

Subjects. Customs Duties.

Applicable to the British "territories." (Article I.)

Country.	Date.	Subject.	When Terminable.
ERSIA (<i>continued</i>) ..	Mar. 4, 1857	Commerce and Navigation	No time fixed
ERU	Apr. 10, 1850	Commerce and Navigation	In order that the two Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects and citizens, it is agreed that at any time after the expiration of seven years from the date of the exchange of the ratifications of the present Treaty, either of the Contracting Parties shall have the right of giving to the other Party notice of its intention to terminate Articles III, IV, V, and VI of the present Treaty;* and that at the expiration of twelve months after such notice shall have been received by either Party from the other, the said Articles and all the stipulations contained therein shall cease to be binding on the two Contracting Parties. (Article XVI.)
			* Abrogated by Peruvian Notifications dated 23rd January and 10th April, 1863.
ORTUGAL *			
RUSSIA (<i>see, also</i> GERMANY)	Aug. 16, 1865	Commerce and Navigation	The present Treaty shall have the same duration as the Treaty of Commerce signed on the 30th May in the current year between Great Britain and the Zollverein. (See p. 20.) It shall come into force four weeks after the exchange of the ratifications* thereof. (Article VI.) (Terminable at any time after one year's notice.)
			* February 24, 1866.

* The Commercial Treaties between Great Britain and Portugal of July 3, 1842, and May 22, 1852, have expired; but British trade continues to enjoy most-favoured-nation treatment in Portugal.

Most-favoured-nation Treatment.

Diplomatic Agents and Consuls.

The High Contracting Parties engage that, in the establishment and recognition of Consuls-General, Consuls, Vice-Consuls, and Consular Agents, each shall be placed in the dominions of the other on the footing of the most favoured nation. (Article IX.)

Subjects. Trade.

And that the treatment of their respective subjects and their trade shall also in every respect be placed on the footing of the treatment of the subjects and commerce of the most favoured nation. (Article IX.)

Protection of Persian Subjects.

Saving the provisions in the latter part of the preceding Article, the British Government will renounce the right of protecting hereafter any Persian subject not actually in the employment of the British Mission, or of British Consuls-General, Consuls, Vice-Consuls, or Consular Agents, provided that no such right is accorded to, or exercised by, any other foreign Powers. (Article XII.)

Privileges and Immunities.

But in this, as in all other respects, the British Government requires, and the Persian Government engages, that the same privileges and immunities shall in Persia be conferred upon, and shall be enjoyed by, the British Government, its servants, and its subjects, and that the same respect and consideration shall be shown for them, and shall be enjoyed by them, as are conferred upon and enjoyed by, and shown to, the most favoured foreign Government, its servants, and its subjects (Article XII.)

Ships and Cargoes. Trade. Houses and Warehouses.

There shall be between all the dominions of Her Britannic Majesty and the territories of the Republic of Peru a reciprocal freedom of commerce. The subjects and citizens of each of the two countries respectively shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the territories of the other where trade with other nations is permitted. (Article II.)

Ships of War and Post-office Packets.

In like manner the ships of war and Post-office packets of each country respectively shall have liberty to enter into all harbours, rivers, and places within the territories of the other to which the ships of war and packets of other nations are or may be permitted to come, to anchor there, and to remain and refit, subject always to the laws and regulations of each country respectively. (Article II.)

Coasting Trade reserved.

The stipulations of this Article do not apply to the coasting trade, which each country reserves to itself respectively, and shall regulate according to its own laws. (Article II.)

Ships and Cargoes.

British ships and their cargoes shall, in Prussia, and Prussian ships and their cargoes shall, in the United Kingdom of Great Britain and Ireland, from whatever place arriving, and whatever may be their place of destination, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes. (Article I.)

If applicable to British Colonies.

Subjects. Commerce.

Applicable to the British "dominions." (Article IX.)

Applicable to the British "dominions." (Article II.)

Ships and Cargoes.

The stipulations contained in the preceding Article (Article I.) are also to be applied to the Colonies and foreign possessions of Her Britannic Majesty, as well as to the ships and cargoes of the same. (Article II.)

Country.	Date.	Subject.	When Terminable.
PRUSSIA (<i>see also</i> GER- MANY) (<i>continued</i>)	Aug. 16, 1865	Commerce and Navi- gation	.. .. .
ROUMANIA	Aug. 13, 1892	Commerce ..	The two High Contracting Parties reserve to themselves reciprocally the right of denouncing at any time the present Convention by giving a year's notice. (Article V.)
RUSSIA	Jan. 12, 1859	Commerce and Navi- gation	The present Treaty of Commerce and Navigation shall remain in force for ten years from the date of the exchange of the ratifi- cations,* and further, until the expiration of twelve months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the High Contracting Parties reserving to itself the right of giving such notice to the other at the expiration of the first nine years, or at any time afterwards. (Article XXII.)

* February 1, 1859.

Most-favoured-nation Treatment.

Fishery reserved.

It is, however, agreed that the preceding stipulation shall not affect the rights connected with fishery belonging exclusively to the subjects of either country within their respective marine territorial limits, nor the local immunities enjoyed in Great Britain, nor by British subjects generally, but only by certain privileged classes in certain ports. (Article I.)

Favours and Exemptions.

Every favour or exemption which either of the Contracting Parties shall grant in these respects to any other Power shall be immediately and unconditionally extended to the other party. (Article I.)

Subjects. Commerce. Shipping.

The subjects, vessels, and goods, produce of the soil and industry of each of the two High Contracting Parties, shall enjoy, in the dominions of the other, all privileges, immunities, or advantages granted to the most favoured nation.

It is, however, understood that the foregoing stipulation does not in any way affect the special laws, ordinances, and regulations with regard to trade, industry, police, and public security, in force in each of the two countries, and applicable to all foreigners in general. (Article I.)

Imports. Duties. Produce and Manufacture.

All articles, produce of the soil or industry of Great Britain and Ireland, which shall be imported into Roumania, and all articles produce of the soil or industry of Roumania, which shall be imported into Great Britain and Ireland, whether destined for consumption, warehousing, re-exportation, or transit, shall be subjected, as long as this Convention holds good, to the same treatment, and, especially, shall be liable to no higher or other duties than the produce or goods of the most favoured nation.

No higher or other duties shall be levied in Great Britain and Ireland on the exportation of goods to Roumania, or in Roumania on the exportation of goods to Great Britain and Ireland, than may be levied on the exportation of the like goods to the country the most favoured in this respect.

Each of the High Contracting Parties undertakes that the other shall enjoy immediately every favour, privilege, or reduction of duties which have been already granted, or may be granted hereafter, under the above-named conditions, by similar Treaties to a third Power.

Goods of all kinds coming from, or proceeding to, the territory of one of the High Contracting Parties shall be exempted, in the territory of the other, from all transit dues. Most-favoured-nation treatment is mutually guaranteed to each of the Contracting Parties, in all that concerns transit. (Article II.)

Ships and Cargoes. Rights, Privileges, Liberties, Favours, Immunities, and Exemptions.

There shall be between all the dominions and possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects of each of the two Contracting Parties respectively shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other to which other foreigners are or may be permitted to come; and shall throughout the whole extent of the dominions and possessions

If applicable to British Colonies.

Coasting Trade.

But as regards the coasting trade, only in those Colonies and foreign possessions the coasting trade of which shall have been, or shall be hereafter, opened to foreign ships in conformity with the Acts of Parliament which govern this matter (Article II.)

The present Convention shall be applicable, as far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
New South Wales.
Victoria.
South Australia.
Western Australia.
Queensland.
Tasmania.
New Zealand.
The Cape of Good Hope.
Natal.

Provided always that the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative to the Roumanian Minister for Foreign Affairs within two years from the date of the signature of the present Convention. (Article IV.)

Ships and Cargoes. National Treatment.

Applicable to the British "dominions and possessions." (Article I.)

Import Duties, &c.

Applicable to the British "dominions and possessions," (Article II.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

of the other enjoy the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation which are or may be enjoyed by native subjects generally.

It is understood, however, that the preceding stipulations in no wise affect the laws, decrees, and special regulations regarding commerce, industry, and police, in vigour in each of the two countries, and generally applicable to all foreigners. (Article I.)

Import Duties. Produce and Manufactures.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article the growth, produce, or manufacture of the dominions and possessions of His Majesty the Emperor of All the Russias, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of All the Russias of any article the growth, produce, or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than are or shall be payable on the like article the growth, produce, or manufacture of any other foreign country. (Article II.)

Prohibitions.

Nor shall any prohibition be imposed on the importation of any article the growth, produce, or manufacture of the dominions and possessions of either of the two Contracting Parties into the dominions and possessions of the other which shall not equally extend to the importation of the like articles being the growth, produce, or manufacture of any other country. (Article II.)

Export Duties.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country. (Article III.)

Subjects. Commerce and Navigation. Privileges, Favours, and Immunities.

Her Britannic Majesty engages that in all matters relating to commerce and navigation the subjects of His Majesty the Emperor of All the Russias shall, in the British dominions, be entitled to every privilege, favour, and immunity which is actually granted, or may hereafter be granted, by Her Britannic Majesty to the subjects or citizens of any other Power; and His Majesty the Emperor of All the Russias, actuated by a desire to foster and extend the commercial relations of the two countries, engages that any privilege, favour, or immunity whatever in regard to commerce and navigation which His Imperial Majesty has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects of Her Britannic Majesty. (Article X.)

Property.

The subjects of either of the two Contracting Parties in the dominions and possessions of the other shall be at full liberty to acquire, possess, and dispose of every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to acquire and possess. They may acquire and dispose of the same, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner, under the same conditions as are established by the laws of the country for all foreigners. Their heirs and

Country.	Date.	Subject.	When Terminable,
RUSSIA (<i>continued</i>) ..	Jan. 12, 1859	Commerce and Navigation	.. .. .. .. ..
EL SALVADOR ..	Oct 24, 1862	Commerce and Navigation	The present Treaty shall remain in force for the term of twenty years from the day of the exchange of ratifications; and if neither party shall notify to the other its intention of terminating the same twelve months before the expiration of the twenty years stipulated above, the said Treaty shall continue binding on both parties beyond the said twenty years, until twelve months from the time that one of the Parties may notify to the other its intention of terminating it. (Article XXI.)

Most-favoured-nation Treatment.

representatives may succeed to and take possession of such property, either in person or by agents acting on their behalf, in the same manner and in the same legal forms as subjects of the country. In the absence of heirs and representatives the property shall be treated in the same manner as the like property belonging to a subject of the country under similar circumstances. (Article XIII.)

Consuls.

It shall be free for each of the two High Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Consuls of the most favoured nation. (Article XV.)

Commercial Relations. Sweden and Norway, and Finland, reserved.

The commercial intercourse of Russia with the Kingdoms of Sweden and Norway being regulated by special stipulations, which may hereafter be renewed, and which do not form part of the regulations applicable to foreign commerce in general, the two High Contracting Parties, being desirous of removing from their commercial relations every kind of doubt or cause for discussion, have agreed that those special stipulations granted in favour of the commerce of Sweden and Norway, in consideration of equivalent advantages granted in those countries to the commerce of the Grand Duchy of Finland, shall in no case apply to the relations of commerce and navigation established between the two High Contracting Parties by the present Treaty. (Separate Article I.)

Subjects. Property. Trade. Manufactures and Mining. Rights, Privileges, Exemptions, and Concessions.

The two High Contracting Parties being desirous of placing the commerce and navigation of their respective countries on the liberal basis of perfect equality and reciprocity, mutually agree that the subjects or citizens of each may frequent all the coasts and countries of the other, and reside therein, and shall have the power to purchase and hold all kinds of property which the laws of the country may permit any foreigners, of whatever nation, to hold, and to engage in all kinds of trade, manufactures, and mining, upon the same terms with native subjects or citizens. They shall enjoy all the privileges and concessions in these matters which are or may be made to the subjects or citizens of any country; and shall enjoy all the rights, privileges, and exemptions in navigation, commerce, and manufactures which native subjects or citizens do or shall enjoy, submitting themselves to the laws there established, to which native subjects or citizens are subjected.

Ships of War and Post-office Packets.

The ships of war and Post-office packets of each Contracting Party, respectively, shall have liberty to enter into all harbours, rivers, and places within the territories of the other to which the ships of war and packets of other nations are or may be permitted to come, to anchor there, and to remain and refit; subject always to the laws of the two countries respectively. (Article II.)

If applicable to British Colonies.

Subjects. Trade. Import Duties, &c.

Applicable to the British "dominions, possessions, and territories." (Articles II, V, and VI.)

Country.	Date.	Subject.	When Terminable.					
SALVADOR (<i>continued</i>) ..	Oct. 24, 1862	Commerce and Navigation	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

Favours.

The High Contracting Parties further engage that neither will grant any favour to any other nation, in respect of commerce and navigation, which shall not immediately become common to the other Contracting Party. (Article II.)

Import Duties. Produce and Manufactures.

No higher or other duties shall be imposed on the importation into the British dominions of any article the growth, produce, or manufacture of the Republic of Salvador, and no higher or other duties shall be imposed on the importation into the Republic of Salvador of any article the growth, produce, or manufacture of the British dominions than are or shall be payable on the same or the like article being the produce or manufacture of any other foreign country. (Article V.)

Export Duties.

Nor shall any higher or other duties or charges be imposed, in either of the two countries, on the exportation of any article to the territories of the other than such as are payable on the exportation of the same or the like article to any other foreign country. (Article V.)

Prohibitions.

No prohibition shall be imposed upon the importation of any article the growth, produce, or manufacture of the territories of either of the two Contracting Parties into the territories of the other which shall not equally extend to the importation of the same or the like article being the growth, produce, or manufacture of any other country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other which shall not equally extend to the exportation of the same or the like article to the territories of all other nations. (Article V.)

Warehousing. Transit. Re-exportation. Bounties, Facilities, and Drawbacks.

The subjects and citizens of one of the Contracting Parties shall enjoy, in the dominions, possessions, and territories of the other, equality of treatment with native subjects and citizens, or with the subjects and citizens of the most favoured nation, in regard to warehousing, transit, and re-export, and also in regard to bounties, facilities, and drawbacks. (Article VI.)

Property.

The subjects and citizens of either of the two Contracting Parties in the territories of the other shall be at full liberty to acquire, possess, and dispose of, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner whatever, every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to hold. Their heirs and representatives may succeed to and take possession of such property, either in person or by agents acting on their behalf, in the ordinary form of law, in the same manner as subjects or citizens of the country; and in the absence of such heirs and representatives, the property shall be treated in the same manner as the like property belonging to a subject or citizen of the country under similar circumstances. (Article XIII.)

Diplomatic Agents and Consuls.

shall be free for each of the two Contracting Parties to appoint Consuls for the protection of trade, to reside in the dominions and territories of the other Party; but before any Consul shall act as such he shall, in the usual form, be approved and admitted by the Government to which he is sent.

Country.	Date.	Subject.	When Terminable.
SALVADOR (<i>continued</i>) ..	Oct. 24, 1862	Commerce and Navigation	.. .. .
.. ..	June 23, 1886	Prolonging Treaty of October 24, 1862	The Treaty of Friendship, Commerce, and Navigation between Her Majesty the Queen of Great Britain and Ireland and the Republic of Salvador, signed at Guatemala on the 24th day of October, 1862, shall remain in force for a period of twenty years from the date of the exchange of the ratifications* of the present Agreement. On the expiration of the said period of twenty years either Party may give twelve months' notice of their desire to terminate the said Treaty, and the Treaty shall then terminate accordingly, but otherwise the Treaty shall remain in force until terminated by notice as aforesaid. (Article I of Agreement of the 23rd June, 1886.)
AMOA	Aug. 28, 1879	Commerce, &c. ..	No time named
SANDWICH ISLANDS ..	July 10, 1851	Commerce and Navigation	In order that the two Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects, it is agreed that at any time after the expiration of seven years from the date of the exchange of the ratifications of the present Treaty,† either of the Contracting Parties shall have the right of giving to the other party notice of its intention to terminate Articles IV,‡ V,

* July 8, 1887. † May 6, 1852. ‡ Article IV expired 3rd July, 1878.

Most-favoured-nation Treatment.

The Diplomatic Agents and Consuls of each of the two High Contracting Parties in the dominions or territories of the other shall enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Agents of the same rank belonging to the most favoured nation. (Article XX.)

..

Rights, Privileges, and Immunities.

The King and Government (Malo) of Samoa engage to grant to no other Sovereign or State any rights, privileges, authority, or predominance in Samoa in excess of such as are or may be accorded to Her Britannic Majesty. The subjects of Her Britannic Majesty shall always enjoy in Samoa whatever rights, privileges, and immunities shall be granted to those of the most favoured nation, and no rights, privileges, or immunities shall be granted to the subjects of any foreign State that shall not be equally and unconditionally accorded to the subjects of Her Britannic Majesty. (Article II.)

Subjects. Commerce and Navigation. Favours, Privileges, and Immunities.

The two Contracting Parties hereby agree that any favour, privilege, or immunity whatever in matters of commerce or navigation which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects or citizens of the other Contracting Party gratuitously if the concession in favour of that other State shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional. (Article III.)

If applicable to British Colonies.

Agreement of June 23, 1886.

It is, nevertheless, agreed that any or all of the following Colonies and foreign possessions of Her Britannic Majesty, that is to say:—

- † India,
- † Canada,
- Newfoundland,
- † The Cape of Good Hope,
- New South Wales,
- † New Zealand,
- Queensland,
- South Australia,
- Tasmania,
- * Victoria,
- Natal,
- * Western Australia,

may at any time within the period of two years from the date of the exchange of the ratifications of the present Agreement give notice, through Her Majesty's Representative accredited to the Republic of Salvador, of their desire to be excepted from the operation of the Treaty aforesaid, and the said Treaty shall not thenceforward apply to any of the said Colonies or foreign possessions of Her Britannic Majesty which shall have given such notice. But, except as above provided, the said Treaty shall apply to all the Colonies and foreign possessions of Her Britannic Majesty until the Treaty be terminated by notice given in pursuance of the terms of Article I of the present Agreement. (Article II of Agreement of the 23rd June 1886.)

Applicable to British "dominions" and "territories." (Articles II, IV, V, VI, IX, X, XII, XIII, XIV.)

* The Colonies marked thus (*) have acceded to the Agreement of the 23rd June, 1886.

† Those marked thus (†) have stated that they do not desire to accede to it.

‡ No reply received.

Country.	Date.	Subject.	When Terminable.
SANDWICH ISLANDS (continued)	July 10, 1851	Commerce and Navigation	and VI of the present Treaty, and that at the expiration of twelve months after such notice shall have been received by either Party from the other the said Articles and all the stipulations contained therein shall cease to be binding on the two Contracting Parties. (Article XVII.)
SERBIA*	July 4, 1893	Commercial Relations	This Agreement shall come into force the day after that on which it shall have received the approval of the Servian National Assembly. It shall remain in force until the ratifications of the Definitive Treaty of Commerce shall have been exchanged, but, in any case, its effect shall cease on the 1st (13th) January, 1894. (Article II.)
SIAM	Apr. 18, 1855	Commerce and Navigation	After the lapse of ten years from the date of the ratification of this Treaty,* upon the desire of either the British or Siamese Government, and on twelve months' notice given by either Party, the present and such portions of the Treaty of 1826 as remain unrevoked by this Treaty, together with the Tariff and Regulations hereunto annexed, or those that may hereafter be introduced, shall be subject to revision by Commissioners appointed on both sides for this purpose, who will be empowered to decide on and insert therein such amendments as experience shall prove to be desirable. (Article XI.)

* April 5, 1856.

Most-favoured-nation Treatment.

If applicable to British Colonies.

Whale Ships.

British whale-ships shall have access to the ports of Hilo, Keala-kekua, and Hanalei, in the Sandwich Islands, for the purpose of refitment and refreshment, as well as to the ports of Honolulu and Lahaina, which two last-mentioned ports only are ports of entry for all merchant-vessels. (Article VII.)

Trade and Barter. Tonnage and Harbour Dues.
Import Duties.

And in all the above-named ports they shall be permitted to trade or to barter their supplies or goods, excepting spirituous liquors, to the amount of 200 dollars *ad valorem* for each vessel, without paying any charge for tonnage, or for harbour dues of any description, or any duties or imposts whatever upon the goods or articles so traded or bartered. They shall also be permitted, with the like exemption from all charges for tonnage and harbour dues, further to trade or barter, with the same exception as to spirituous liquors, to the additional amount of 1,000 dollars *ad valorem* for each vessel, paying upon the additional goods and articles so traded and bartered no other or higher duties than are payable on like goods and articles when imported in national vessels and by native subjects. They shall also be permitted to pass from port to port of the Sandwich Islands for the purpose of procuring refreshments, but they shall not discharge their seamen or land their passengers in the said islands except at Honolulu and Lahaina, and in all the ports named in this Article British whale-ships shall enjoy, in all respects whatsoever, all the rights, privileges, and immunities which are or may be enjoyed by national whale-ships, or by whale-ships of the most favoured nation. (Article VII.)

Diplomatic Agents and Consuls.

It shall be free for each of the two Contracting Parties to appoint Consuls for the protection of trade, to reside in the territories of the other Party; but before any Consul shall act as such he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge fit to be excepted. The Diplomatic Agents and Consuls of the Hawaiian Islands in the dominions of Her Britannic Majesty shall enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Agents of the same rank belonging to the most favoured nation; and in like manner the Diplomatic Agents and Consuls of Her Britannic Majesty in the Hawaiian Islands shall enjoy whatever privileges, exemptions, and immunities are or may be granted there to the Diplomatic Agents and Consuls of the same rank belonging to the most favoured nation. (Article XII.)

The subjects, ships, and goods produce or manufacture of the two countries shall respectively enjoy, in all respects, the treatment of the most favoured nation. (Article I.)

Privileges.

The British Government and its subjects will be allowed free and equal participation in any privileges that may have been, or may hereafter be, granted by the Siamese Government to the Government or subjects of any other nation. (Article X.)

Not applicable to British Colonies.

Country.	Date.	Subject.	When Terminable.
SIAM (<i>continued</i>)..	Apr. 6, 1883	Traffic in Spirituous Liquors	Subject to the provisions of Article V, the present Agreement shall come into operation on a date to be fixed by mutual consent between the two Governments, and shall remain in force until the expiration of six months' notice given by either Party to determine the same. The existing Treaty engagements between Great Britain and Siam shall continue in full force until the present Agreement comes into operation—and after that date, except in so far as they are modified hereby. Should the present Agreement be terminated, the Treaty engagements between Great Britain and Siam shall revive, and remain as they existed previously to the signature hereof. (Article VI.)

Most-favoured-nation Treatment.

If applicable to British Colonies

Importation and Sale of Spirits. Duties.

Spirits of all kinds not exceeding in alcoholic strength those permitted to be manufactured by the Siamese Government in Siam may be imported and sold by British subjects on payment of the same duty as that levied by the Siamese excise laws upon spirits manufactured in Siam; and spirits exceeding in alcoholic strength spirits manufactured in Siam as aforesaid may be imported and sold upon payment of such duty and of a proportionate additional duty for the excess of alcoholic strength above the Siamese Government standard.

Beer and wines may be imported and sold by British subjects on payment of the same duty as that levied by the Siamese excise laws upon similar articles manufactured in Siam, but the duty on imported beer and wines shall in no case exceed 10 per cent. *ad valorem*.

The said duty on imported spirits, beer, and wines shall be in substitution of, and not in addition to, the import duty of 3 per cent. leviable under the existing Treaties; and no further duty, tax, or imposition whatever shall be imposed on imported spirits, beer, and wines.

The scale of excise duty to be levied upon spirits, beer, and wines manufactured in Siam shall be communicated by the Siamese Government to Her Majesty's Agent and Consul-General at Bangkok, and no change in the excise duties shall affect British subjects until after the expiration of six months from the date at which such notice shall have been communicated by the Siamese Government to Her Majesty's Representative at Bangkok. (Article I.)

Testing of Spirits.

The testing of spirits imported into the Kingdom of Siam by British subjects shall be carried out by European officials nominated by the Siamese authorities, and by an equal number of experts nominated by Her Majesty's Consul. In case of difference the parties shall nominate a third person, who shall act as umpire. (Article II.)

Deleterious Spirits: Destruction.

The Siamese Government may stop the importation by British subjects into Siam of any spirits which, on examination, shall be proved to be deleterious to the public health; and they may give notice to the importers, consignees, or holders thereof to export the same within three months from the date of such notice, and if this is not done the Siamese Government may seize the said spirits and may destroy them, provided always that in all such cases the Siamese Government shall be bound to refund any duty which may have been already paid thereon.

The testing of spirits imported by British subjects, and which may be alleged to be deleterious, shall be carried out in the manner provided by Article II.

The Siamese Government engage to take all necessary measures to prohibit and prevent the sale of spirits manufactured in Siam which may be deleterious to the public health. (Article III.)

Spirit Licences.

Any British subject who desires to retail spirituous liquors, beer, or wines in Siam must take out a special licence for that purpose from the Siamese Government, which shall not be refused without just and reasonable cause.

This licence may be granted upon conditions to be agreed upon from time to time between the two Governments. (Article IV.)

Importation and Sale of Spirits.

British subjects shall at all times enjoy the same rights and privileges in regard to the importation and sale of spirits, beer, wines, and spirituous liquors in Siam as the subjects of the most favoured nation; and spirits, beer, wines, and spirituous liquors coming from any part of Her Britannic Majesty's dominions shall enjoy the same privileges in all respects as similar articles coming from any other country the most favoured in this respect.

It is therefore clearly understood that British subjects are not bound to conform to the provisions of the present Agreement to any greater extent than the subjects of other nations are so bound. (Article V.)

Spirits, beer, wines, and spirituous liquors coming from any part of Her Britannic Majesty's dominions shall enjoy the same privileges in all respects as similar articles coming from any other country the most favoured in this respect. (Article V.)

Country.		Date.	Subject.	When Terminable.
SOUTH AFRICAN REPUBLIC		Feb. 27, 1884	Boundaries, Commerce, &c.	No time fixed
SPAIN*		Aug. 28, 1814	Commerce and Navigation	No time fixed
„		Mar. 11, 1877	Commerce, Sulu Archipelago	See Treaty of the 7th March, 1885.
„		Mar. 7, 1885	Sulu Archipelago.	No time fixed

* The Commercial Convention between Great Britain and Spain of April 26, 1886, has expired; but British trade still continues to enjoy most-favoured-nation treatment in Spain, in virtue of the Spanish Royal Orders of June 29 and 30, 1892. (See page 52.)

Most-favoured-nation Treatment.

Import and Export Duties.

Except in pursuance of any Treaty or engagement made as provided in Article IV of this Convention, no other or higher duties shall be imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions than are or may be imposed on the like article coming from any other place or country; nor will any prohibition be maintained or imposed on the importation into the South African Republic of any article coming from any part of Her Majesty's dominions which shall not equally extend to the like article coming from any other place or country. And in like manner the same treatment shall be given to any article coming to Great Britain from the South African Republic as to the like article coming from any other place or country.

These provisions do not preclude the consideration of special arrangements as to import duties and commercial relations between the South African Republic and any of Her Majesty's Colonies or possessions. (Article XIII.)

All Treaties of Commerce confirmed.

It is agreed that, pending the negotiation of a new Treaty of Commerce, Great Britain shall be admitted to trade with Spain upon the same conditions as those which existed previously to the year 1796. All the Treaties of Commerce which at that period subsisted between the two nations being hereby ratified and confirmed. (Article I.)

Recognition of Spanish Sovereignty.

The Governments of Great Britain and of Germany recognize the sovereignty of Spain over the places effectively occupied, as well as over those places not yet occupied, of the Archipelago of Sulu (Joló), of which the limits are laid down in Article II. (Article I.)

Archipelago of Sulu defined.

The Archipelago of Sulu (Joló), conformably to the definition contained in Article I of the Treaty signed the 23rd September, 1836, between the Spanish Government and the Sultan of Sulu (Joló), comprises all the islands which are found between the western extremity of the Island of Mindanao on the one side, and the continent of Borneo and the Island of Paragua on the other side, with the exception of those which are indicated in Article III.

It is understood that the Islands of Balabac and of Cagayan-Joló form part of the archipelago. (Article II.)

Renunciation of Spanish Sovereignty over Territories in Borneo.

The Spanish Government renounces, as far as regards the British Government, all claims of sovereignty over the territories of the continent of Borneo, which belong, or which have belonged in the past, to the Sultan of Sulu (Joló), and which comprise the neighbouring Islands of Balambangan, Banguey, and Malawali, as well as all those comprised within a zone of 3 maritime leagues from the coast, and which form part of the territories administered by the Company, styled the "British North Borneo Company." (Article III.)

If applicable to British Colonies.

Applicable to British dominions, but the provisions do not preclude the consideration of special arrangements as to import duties and commercial relations between the South African Republic and any of Her Majesty's Colonies or possessions. (Article XIII.)

Not applicable to British Colonies.

Applicable to vessels and subjects of Great Britain. (Article IV.)

Country.	Date.	Subject.	When Terminable.
SPAIN (continued)	.. Mar 7, 1885	Sulu Archipelago ..	No time fixed

Most-favoured-nation Treatment.

If applicable to British Colonies.

Commerce and Navigation. Fishing.

The Spanish Government engages to carry out, in the Archipelago of Sulu (Joló), the stipulations contained in Articles 1, 2, and 3 of the Protocol signed at Madrid the 11th March, 1877, that is to say :—

- (1.) The commerce and the direct traffic of vessels and subjects of Great Britain, Germany, and the other Powers, with the Archipelago of Sulu (Joló), and in all parts thereof, are declared to be, and shall be, absolutely free; as well as the right of fishing, without prejudice to the rights of Spain recognized by the present Protocol, conformably to the following declarations. (Article IV.)

Freedom of Commerce and Navigation. Dues. Imports and Exports. Taxes. Duties. Sanitary, &c., Regulations.

- (2.) The Spanish authorities shall not be able to require in future that vessels and subjects of Great Britain, Germany, and the other Powers, freely repairing to the Archipelago of Sulu, or from one point of it to another indiscriminately, or thence to any other part of the world, shall be under the necessity of touching, before or after, at a point indicated in the archipelago or elsewhere; or of paying any dues whatsoever; or of procuring permission from the said authorities; who, on their side, shall abstain from all obstruction and all intervention in the above-named traffic. It is well understood that the Spanish authorities shall not hinder in any manner, or under any pretext, the free importation and exportation of all kinds of merchandize without exception, save at such places as are occupied, and conformably to Declaration 3; and that in all the places not effectively occupied by Spain, neither the vessels, nor the subjects above mentioned, nor their merchandize, shall be submitted to any tax or duty or payment whatever, nor to any Regulation, sanitary or otherwise. (Article IV.)

Taxes, Duties, Sanitary and Restrictive Regulations.

- (3.) In those places in the Archipelago of Sulu which are occupied by Spain, the Spanish Government shall be able to establish taxes and Regulations, sanitary or otherwise, during the effective occupation of the places indicated. But Spain, on its side, engages to maintain in those places the establishments and employés necessary for the needs of commerce, and for the application of the said Regulations.

It is, nevertheless, expressly understood, and the Spanish Government being resolved on its side not to apply restrictive Regulations to the places occupied, undertakes the engagement willingly, that it shall not introduce in the said places any taxes or duties greater than those fixed by the Spanish Tariffs, or by the Treaties or Conventions between Spain and any other Power. It shall not, moreover, put into force exceptional Regulations applicable to the commerce or to the subjects of Great Britain, Germany, or the other Powers. (Article IV.)

Tariffs and Regulations.

In case Spain shall effectively occupy other places in the Archipelago of Sulu, maintaining there the establishments and employés necessary for the needs of commerce, the Governments of Great Britain and of Germany shall make no objection to the application of the same rules agreed upon for the places already occupied. But in order to prevent new cases of claims which might arise from the uncertainty as to trade with places which are occupied, and which are subject to Regulations and Tariffs, the Spanish Government shall communicate in each case the effective occupation of a place in the Archipelago of Sulu to the Governments of Great Britain and of Germany, and shall, at the same time, inform the trading interest concerned by a suitable Notification published in the official journals of Madrid and Manila. As regards the Tariffs and Regulations for commerce agreed upon for the places actually occupied, they shall not be applicable to the places subsequently occupied by Spain until after a period of six months, dating from the said publication in the official journal of Madrid. (Article IV.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Freedom of Commerce and Navigation.

It is agreed, however, that no vessel or subject of Great Britain, of Germany, or of other Powers shall be obliged to touch at one of the places occupied, either in going or returning from a place not occupied by Spain, and that no prejudice will be caused to them on this account, nor in respect of any kind of merchandize destined for a place in the archipelago which is not occupied. (Article IV.)

Freedom of Commerce and Navigation in North Borneo Company's Territory.

The Government of Her Britannic Majesty engages to see that there is entire freedom of commerce and navigation, without distinction of flag, in the territory of North Borneo administered by the Company, styled "British North Borneo Company." (Article V.)

It is agreed that Her Britannic Majesty's Government will recognize the sovereignty of Spain over the Caroline Islands and Pelew Islands to the same extent as such sovereignty has been or may hereafter be recognized by the German Government. (Protocol, section 1.)

It is agreed that whatsoever privileges, advantages, favours, or immunities have been or may hereafter be accorded in the aforesaid islands by the Spanish Government to the Government or subjects of the German Empire shall be immediately and unconditionally accorded to the Government or subjects of Great Britain. (Protocol, section 2.)

Spanish Royal Orders, granting the Minimum Tariff to Great Britain and other Countries, June 29, 30, 1892.

MINISTRY OF FINANCE.

(Translation.)

IN view of the Royal Order of the Ministry of State, dated the 20th August last, proposing that the Second Column of the existing Customs Tariff be conceded to the countries of America, Asia, and Oceania therein cited, for the reasons set forth in the above-named Royal Order;

In view of the Royal Order issued by the same Ministry, dated this day, laying down that Germany, Austria, Belgium, England, Italy, Netherlands, Sweden and Norway, Switzerland, and Portugal have declared their readiness to continue granting to Spain most-favoured-nation treatment of their Tariffs, inasmuch as, in conformity with Article 2 of the Royal Decree of the 31st December last, the said countries have a right to claim that the Second Column of our Customs Tariff be applied from the 1st July, so long as they maintain towards us the treatment which they offer us, expressing at the same time that the treatment relative to France is determined in the *modus vivendi* recently agreed upon;

And considering that, with respect to the countries of Asia, America, and Oceania, the Special Commission appointed to examine the Commercial Conventions has reported on the proposal put forward by the Ministry of State in the above-named Royal Order:

The King (whom God preserve), and in his name the Queen-Regent, conformably to the said opinion and the proposal made by the General Board of Direction, has been pleased to ordain that, from the 1st July next, the duties of the Second Column of the existing Tariff be imposed on goods produced by Annam, Germany, the Argentine Republic, Austria-Hungary, Belgium, Bolivia, Chile, China, Colombia, Costa Rica, Ecuador, France, Great Britain and Ireland, Guatemala, Italy, Hawaiian Islands, Japan, Morocco, Mexico, Nicaragua, Netherlands, Paraguay, Persia, Peru, Portugal, Salvador, Siam, Sweden and Norway, Switzerland, Uruguay, and Venezuela, on condition that the formalities prescribed by Article 12 of the Tariff are complied with, or those which may hereafter be established, for the purpose of determining the origin of goods which have right to claim the application of the said Second Column, on the ground that such goods are from Treaty nations; the certificate of origin being exacted in the case of goods specified in the list

Country.	Date.	Subject.	When Terminable.
SPAIN (continued) ..	..	..	.. .. .. ..
SWEDEN AND NORWAY ..	Mar. 18, 1826	Commerce and Navigation	These stipulations in favour of British commerce shall remain in force during the continuance of the present Convention, and as far as the Act of Parliament of the 5th July, 1825, shall continue to grant to the navigation and commerce of Sweden equivalent facilities of the same nature. (Article X.) The present Convention shall be in force for the term of ten years from the date hereof, and, further, until the end of twelve months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same, each of the High Contracting Parties reserving to itself the right of giving such notice to the other at the end of the said term of ten years; and it is hereby agreed between them that at the expiration of twelve months after such notice shall have been received by either party from the other, this Convention and all the provisions thereof shall altogether cease and determine. (Article XII.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

appended to the Royal Order of the 23rd March last, a certificate of transit only being required when goods are in passage through countries which are subject to the First Column treatment.

By Royal Order I communicate to your Excellency the above for your information and guidance.

(Signed) CONCHA.

Madrid, June 29, 1892.

The Director-General of Indirect Contributions.

MINISTRY OF THE COLONIES.

Royal Order.

(Translation.)

IN view of the information supplied to this Ministry by the Ministry of State relative to the treatment to which Spanish products will be subjected from the 1st July next by those nations whose Commercial Conventions have terminated on the 30th June, and Germany, Austria, Belgium, England, Italy, Netherlands, Sweden and Norway, Switzerland, and Portugal, having declared their readiness to continue granting to Spain the most-favoured-nation treatment of their Tariffs:

The King (whom God preserve), and in his name the Queen-Regent, has been pleased to ordain that from this said 1st July the Second Column of the Customs Tariff of Cuba and Porto Rico be applied to the products of the said countries, in conformity with Article 2 of the Royal Decree of the 29th April last, and the treatment actually enjoyed by them in the Philippine Islands be continued, and so long as they maintain the treatment which they offer, and so long as no special Commercial Conventions are arranged with them; the Second Column of the above-mentioned Tariffs having to be applied likewise to the United States of Colombia, Paraguay, Peru, Venezuela, Argentine Republic, Bolivia, Costa Rica, Chile, Ecuador, Guatemala, Mexico, Nicaragua, San Salvador, and Uruguay, in America, and to the countries of Annam, Hawaiian Islands, Persia, Siam, China, and Japan, in Asia, in just reciprocity for the most-favoured-nation treatment which is conceded to us by the existing Conventions.

By Royal Order I communicate to your Excellency the above for your information and guidance.

(Signed) ROMERO.

Madrid, June 30, 1892.

To the Governors-General of Cuba, Porto Rico, and the Philippines.

Import Duties. Produce and Manufactures.

The High Contracting Parties engage that all articles the growth, produce, or manufacture of their respective dominions shall be subject to no higher duties upon their admission from the one country into the other than are paid by the like articles the growth, produce, or manufacture of any other foreign country. (Article IX.)

Prohibitions. Imports. Exports.

And that no prohibition or restraint shall be imposed upon the importation into the one country from the other, or upon the exportation from the one country to the other, of any such articles the growth, produce, or manufacture of either of the said States which shall not equally extend to all other nations. (Article IX.)

Trade and Navigation.

And generally, that in all matters and regulations of trade and navigation, each of the High Contracting Parties will treat the other upon the footing of the most favoured nation. (Article IX.)

Colonial Trade. Ships and Cargoes.

From and after the date of the present Convention, British ships shall be allowed to proceed direct from any port of His Britannic Majesty's dominions to any Colony of His Majesty the King of Sweden and Norway not in Europe, and to import into such Colony any goods the growth, produce, or manufacture of the United Kingdom, or of any of the British dominions, not being such goods as are prohibited to be imported into such Colony, or as are admitted only from the dominions of His Majesty the King of Sweden and Norway; and such British ships, and such goods so imported in them, shall be liable in such Colony of His Majesty the King of Sweden and Norway to no higher or other charges than would be there payable on Swedish or Norwegian ships importing the like sorts of goods, or payable on the like goods the growth, produce, or manufacture of any foreign country allowed to be imported into the said Colony in Swedish or Norwegian ships. And from and after the same date Swedish and Norwegian vessels shall be allowed to proceed direct from any ports of the dominions of His Majesty the King of Sweden and Norway to any Colony of the United Kingdom of Great Britain and Ireland (other than those in the possession of the East India Company), and to import into such Colony any goods the growth, produce, or manufacture of the Kingdoms of Sweden and Norway, or of any of their dominions, not being such goods as are prohibited to be imported into such Colony, or as are admitted only from the dominions of His Britannic Majesty

Country.	Date.	Subject.	When Terminable.
SWEDEN AND NORWAY (continued).	Mar. 18, 1826	Commerce and Navigation	.. .. .
SWISS CONFEDERATION ..	Sept 6, 1855	Commerce. Residence	The present Treaty shall continue in force for ten years from the date of the exchange of the ratifications* thereof, and further until the end of twelve months after either of the two Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the Contracting Parties being at liberty to give such notice to the other at the end of the said term of ten years, or at any time afterwards. (Article XI.)

* March 6, 1856.

Most-favoured-nation Treatment.

..

If applicable to British Colonies.

and such Swedish and Norwegian vessels, and such goods so imported in them, shall be liable in each Colony of the United Kingdom of Great Britain and Ireland (other than those in the possession of the East India Company) to no other or higher charges than would be there payable on British vessels importing the like sort of goods, or payable on the like goods the growth, produce, or manufacture of any foreign country allowed to be imported into the said Colony in British ships. (Article VI.)

In respect to the commerce to be carried on in vessels of Sweden or Norway with the British dominions in the East Indies, or now held by the East India Company in virtue of their Charter, His Britannic Majesty consents to grant the same facilities and privileges in all respects to the subjects of His Swedish Majesty as are or may be enjoyed under any Treaty or Act of Parliament by the subjects or citizens of the most favoured nation, subject to the laws, rules, regulations, and restrictions which are or may be applicable to the ships and subjects of any other foreign country enjoying the like facilities and privileges of trading with the said dominions. (Article VIII.)

Import Duties, &c.

See Article IX.

Subjects. Imports, &c.

Applicable to British "territories." (Articles I and IX.)

Subjects. Residence.

The subjects of Her Britannic Majesty shall be admitted to reside in each of the Swiss Cantons on the same conditions, and on the same footing, as citizens of the other Swiss Cantons. In the same manner, Swiss citizens shall be admitted to reside in all the territories of the United Kingdom of Great Britain and Ireland on the same conditions, and on the same footing, as British subjects.

Consequently, the subjects and citizens of either of the two Contracting Parties shall, provided they conform to the laws of the country, be at liberty, with their families, to enter, establish themselves, reside, and remain in any part of the territories of the other. (Article I.)

Houses and Warehouses. Possessions. Business. Trades. Brokers and Agents.

They may hire and occupy houses and warehouses for the purposes of residence and commerce, and may exercise, conformably to the laws of the country, any profession or business, or carry on trade in articles of lawful commerce by wholesale or retail, and may conduct such trade either in person or by any brokers or agents whom they may think fit to employ, provided such brokers or agents shall themselves also fulfil the conditions necessary for being admitted to reside in the country. (Article I.)

Taxes, Charges, &c.

They shall not be subject to any taxes, charges, or conditions, in respect of residence, establishment, passports, licences to reside, establish themselves, or to trade, or in respect of permission to exercise their profession, business, trade, or occupation, greater or more onerous than those which are or may be imposed upon the subjects or citizens of the country in which they reside. (Article I.)

Rights, Privileges, and Exemptions.

And they shall, in all these respects, enjoy every right, privilege, and exemption which is or may be accorded to subjects or citizens of the country, or to subjects or citizens of the most favoured nation. (Article I.)

Country.	Date.	Subject.	When Terminable.					
SWISS CONFEDERATION .. (continued)	Sept. 6, 1855	Commerce. Resi- dence	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

Subjects, Property.

The subjects and citizens of either of the two Contracting Parties in the territories of the other shall be at full liberty to acquire, possess, and dispose of, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner whatever, every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to hold. Their heirs and representatives may succeed to, and take possession of, such property, either in person or by agents acting on their behalf, in the ordinary form of law, in the same manner as subjects or citizens of the country; and in the absence of such heirs and representatives the property shall be treated in the same manner as the like property belonging to a subject or citizen of the country under similar circumstances. (Article IV.)

Property. Duties. Taxes. Imposts. Charges.

No other or higher duty, tax, impost, or charge, either in time of peace or in time of war, shall, under any circumstances, be imposed or levied upon, or in respect of, any property held by a subject or citizen of one of the two Contracting Parties in the territories of the other, than is or may be imposed or levied upon, or in respect of, the like property belonging to a subject or citizen of the country, or to a subject or citizen of the most favoured nation.

Subjects. Taxes and Demands.

Nor shall any other tax or demand whatever be imposed or levied upon a subject or citizen of either of the Contracting Parties in the territories of the other Contracting Party, other or higher than is or may be imposed or levied upon a subject or citizen of the country, or upon a subject or citizen of the most favoured nation. (Article VI.)

Consuls.

It shall be free for each of the two Contracting Parties to appoint Consuls to reside in the territories of the other Party; but before any Consul shall act as such he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge fit to be excepted.

The Consuls of each of the Contracting Parties in the dominions of the other shall enjoy whatever privileges, exemptions, and immunities are, or shall be, granted there to Consuls of the most favoured nation. (Article VII.)

Subjects. Imports. Warehousing. Transit. Exports.

In all that relates to the importation into, the warehousing in, the transit through, and the exportation from, their respective territories, of any article of lawful commerce, the two Contracting Parties engage that their respective subjects and citizens shall be placed upon the same footing as subjects and citizens of the country, or as the subjects and citizens of the most favoured nation in any case where the latter may enjoy an exceptional advantage not granted to natives. (Article VIII.)

Neither of the two Contracting Parties shall impose upon the importation, warehousing, transit, or exportation of any article, the growth, produce, or manufacture of the territories of the other, any other or higher duty than that which is or may be imposed upon the like article, being the growth, produce, or manufacture of any other foreign country. (Article IX.)

Favours. Commerce.

The two Contracting Parties further engage that any favour in matters of commerce which either of them may hereafter grant to any third Power shall be also, and at the same time, extended to the other Contracting Party. (Article X.)

Country.	Date.	Subject.	When Terminable.
TONGA	Nov. 29, 1879	Friendship, &c. ..	Article IV, respecting extradition of Tongan subjects found in British territory, may be terminated at any time by Her Britannic Majesty giving notice to that effect to the King of Tonga. The Article shall, however, remain in force for six months after the notice of its termination. (Article IV.) No date fixed for termination of other Articles.
TUNIS	Oct. 10, 1863	Commerce, &c. ..	No time fixed
.. ..	July 19, 1875	Commerce and Navigation	In order that the two Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective people, it is agreed that at any time after the expiration of seven years from the date of the present Convention of Commerce and Navigation* either of the High Contracting Parties shall have the right to call upon the other to enter upon a revision of the same; but until such revision shall have been accomplished by common consent, and a new Convention shall have been concluded and put into operation, the present Convention shall continue and remain in full force and effect. (Article XL.)

• After 19th July, 1882.

Most-favoured-nation Treatment.

Privileges and Immunities, &c., to British Subjects.

His Majesty the King of Tonga engages to grant to no other Sovereign or State any rights, powers, authority, or privileges in Tonga in excess of those accorded to Her Britannic Majesty. The subjects of Her Britannic Majesty shall always enjoy in Tonga, and Tongan subjects shall always enjoy in the territories of Her Britannic Majesty, whatever rights, privileges, and immunities they now possess, or which are now accorded to the subjects of the most favoured nation; and no rights, privileges, or immunities shall be granted hereafter in Tonga to the subjects of any foreign State which shall not equally and unconditionally be granted to the subjects of Her Britannic Majesty. (Article II.)

Property.

British subjects holding immovable property in the Regency of Tunis shall, in conforming to the local laws and regulations, exercise and enjoy the same immunities, privileges, and rights that are accorded to Tunisian proprietors; and for that purpose the right of British subjects to hold immovable property being derived from the enactments founded upon the organic laws (*Aad-el-Aman*) the said enactments are hereby confirmed; and their observance being considered necessary for the more efficient protection of the immovable property held as aforesaid, it has been further agreed that they shall be maintained, as a greater security for the due performance of the conditions of the present Convention. And they shall be furthermore entitled to all the immunities, privileges, and exemptions accorded, or to be hereafter accorded, to the subjects or citizens of the most favoured nation. (Article XVII.)

Diplomatic Agents and Consuls.

Every mark of honour and respect shall at all times be paid, and every privilege and immunity allowed, to Her Majesty's Agent and Consul-General accredited to His Highness the Bey which is paid or allowed to the Representative of any other nation whatsoever; and respect and honour shall be shown to the British Consuls, Vice-Consuls, and Consular Agents who shall reside in the Regency of Tunis. Their houses and families shall be safe and protected. No one shall interfere with them, or commit any act of oppression or disrespect towards them, either by word or deed; and if any one should do so the Tunisian authorities shall take immediate measures for the punishment of the offender. The British Consuls, Vice-Consuls, and Consular Agents shall, moreover, continue to enjoy, in the most ample sense, all the privileges and immunities which are now or may be hereafter accorded to the Consuls, Vice-Consuls, and Consular Agents of the most favoured nation. (Article II.)

Subjects. Vessels. Commerce. Navigation. Privileges. Favours. Immigration.

In accordance with the friendship which has at all times existed between the two Governments, His Highness the Bey engages to protect British subjects who may come to his country either for the purposes of trade or for travelling. They shall be free to travel or to reside in any part of the Regency without hindrance or molestation; and they shall be treated with respect, love, and honour. They shall be exempt from forced military service, whether by land or by sea; from forced loans, and from every extraordinary contribution. Their dwellings and warehouses destined for the purposes of residence and commerce, as well as their property, both real and personal, of every kind, shall be respected, and, in particular, all the stipulations of the Convention concluded between Her Majesty's

If applicable to British Colonies.

Privileges to Tongan Subjects.

Tongan subjects shall always enjoy, in the territories of Her Britannic Majesty, whatever rights, &c. (See Article II in "Most-favoured-nation" column.)

Ships. Commerce, &c.

Applicable to the British "dominions." (Article V.)

Coasting Trade.

Vessels navigating under the British flag, and vessels navigating under the Tunisian flag, shall be free to carry on the coasting trade in the States and dominions of the Contracting Parties. They shall enjoy the same rights and immunities as are enjoyed by national vessels, and they shall be free either to land a portion of their cargoes, or to embark goods, foreign or native, to complete their cargoes, in each other's ports, without being obliged in each case to procure any special licence from the local authorities, or to pay any charges and dues that are not paid by national vessels.

The stipulations of this Article shall, however, as regards the colonial coasting trade, be deemed to extend only to the coasting trade of such of the colonial possessions of Her Britannic Majesty as, under the provisions of the Act relating thereto, may have opened their coasting trade to foreign vessels. (Article VIII.)

Country.	Date.	Subject.	When Terminable.
TUNIS (continued)	.. July 19, 1875	Commerce and Navigation	
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Most-favoured-nation Treatment.

If applicable to British Colonies.

Government and His Highness the Bey on the 10th October, 1863, relative to the permission granted to British subjects to hold real property in the Regency of Tunis, are hereby confirmed. And British subjects, vessels, commerce, and navigation shall enjoy, without any restriction or diminution, all the privileges, favours, and immunities which are now or may hereafter be granted to the subjects, vessels, commerce, and navigation of any other nation whatever.

Her Britannic Majesty, on her part, engages to insure to Tunisian subjects, vessels, commerce, and navigation within her dominions, the enjoyment of the same protection and privileges which are or may be enjoyed by the subjects, vessels, commerce, and navigation of the most favoured nation. (Article V.)

Import Duties. Produce and Manufactures.

And it is moreover agreed that no other or higher duties shall be imposed on the importation of any article the produce or manufacture of one of the Contracting Parties into the country of the other which shall not equally extend to the like articles being the produce or manufacture of any other country. (Article VII.)

Internal Trade.

If British merchants or their agents in the Regency of Tunis should purchase any article of Tunisian produce or manufacture for internal consumption, the said merchants or their agents shall not pay, on the purchase and sale of such articles, any higher duties or charges than are paid, under similar circumstances, by the most favoured class of Tunisians or foreigners engaged in the internal trade of the Regency of Tunis. In like manner Tunisian merchants or their agents in the British dominions shall not pay on the purchase and sale of British produce and manufactures, for internal consumption in the said dominions, higher duties or charges than are paid by British subjects or the most favoured foreigners engaged in the internal trade of the said dominions, upon similar articles of produce or manufacture. (Article X.)

Harbour, Pilotage, Lighthouse, Quarantine, and Local Dues.

No harbour, pilotage, lighthouse, or quarantine dues, or other local dues, shall be levied upon British vessels which are not imposed upon Tunisian vessels, or upon the vessels of the most favoured nation.

If a British vessel shall enter a Tunisian port from stress of weather and depart it shall not be subject to the payment of the aforesaid dues, but shall pay only the fee to the pilot, should a pilot be required. Should such vessel, however, visit a Tunisian port for the purpose of procuring water and of purchasing provisions, it shall pay only a portion, not exceeding half, of the harbour, pilotage, lighthouse, and quarantine or other local dues payable at the said port.

In like manner Tunisian vessels which shall visit any of the ports of Her Majesty's dominions shall pay only the harbour, quarantine, and other dues which are levied upon British vessels. (Article XVIII.)

Wrecks. Stolen Property.

Should, however (which God forbid), the crew, or any portion of the crew, of a wrecked or stranded British vessel be murdered by the natives, or its cargo, or any part of its cargo or contents, be stolen by them, the Tunisian Government binds itself to take the most prompt and energetic measures for seizing the marauders or robbers, in order to proceed to their severe punishment. It, moreover, engages to make the most diligent search for the recovery and restitution of the stolen property; and whatever compensation for the damage done to individuals or to their effects, under similar circumstances, is granted, or may hereafter be granted, to the subjects of the most favoured nation, or the equivalent of it, shall be also accorded to the subjects of the Queen of Great Britain. (Article XXXI.)

Country	Date.	Subject.	When Terminable.
TURKEY	1675	Capitulations ..	No time fixed. Confirmed by Treaty, 5th January, 1809.
UNITED STATES.. ..	July 3, 1815	Commerce and Navigation	This Convention, when the same shall have been duly ratified by His Britannic Majesty and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be binding and obligatory on His Majesty and on the said United States for four years from the date of its signature ; and the ratifications shall be exchanged in six months from this time, or sooner if possible. (Article V.) Continued in force by Treaties of the 20th October, 1818, and the 6th August, 1827.

Most-favoured-nation Treatment.

Capitulations, &c., granted to French, Venetians, and others, extended to the English.

That all the Capitulations, privileges, and articles granted to the French, Venetian, and other Princes who are in amity with the Sublime Porte, having been in like manner, through favour, granted to the English, by virtue of our special command, the same shall be always observed according to the form and tenour thereof, so that no one in future do presume to violate the same, or act in contravention thereof. (Article XVIII.)

British Territories in Europe. Ships and Cargoes. Houses and Warehouses.

There shall be between all the territories of His Britannic Majesty in Europe, and the territories of the United States, a reciprocal liberty of commerce. The inhabitants of the two countries respectively shall have liberty freely and securely to come with their ships and cargoes to all such places, ports, and rivers in the territories aforesaid, to which other foreigners are permitted to come, to enter into the same, and to remain and reside in any part of the said territories respectively; also to hire and occupy houses and warehouses for the purpose of their commerce; and generally the merchants and traders of each nation respectively shall enjoy the most complete protection and security for their commerce; but subject always to the laws and statutes of the two countries respectively. (Article I.)

Import Duties. Produce and Manufactures.

No higher or other duties shall be imposed on the importation into the territories of His Britannic Majesty in Europe of any articles the growth, produce, or manufacture of the United States, and no higher or other duties shall be imposed on the importation into the United States of any articles the growth, produce, or manufacture of His Britannic Majesty's territories in Europe, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country. (Article II.)

Export Duties.

Nor shall any higher or other duties or charges be imposed in either of the two countries on the exportation of any articles to His Britannic Majesty's territories in Europe, or to the United States, respectively, than such as are payable on the exportation of the like articles to any other foreign country. (Article II.)

Prohibitions. Imports and Exports.

Nor shall any prohibition be imposed upon the exportation or importation of any articles the growth, produce, or manufacture of the United States, or of His Britannic Majesty's territories in Europe, to or from the said territories of His Britannic Majesty in Europe, or to or from the said United States, which shall not equally extend to all other nations. (Article II.)

If applicable to British Colonies.

Not applicable to British Colonies generally.

East Indies: Calcutta, Madras, Bombay, and Prince of Wales' Island.

His Britannic Majesty agrees that the vessels of the United States of America shall be admitted and hospitably received at the principal Settlements of the British dominions in the East Indies, viz., Calcutta, Madras, Bombay, and Prince of Wales' Island, and that the citizens of the said United States may freely carry on trade between the said principal Settlements and the said United States, in all articles of which the importation and exportation, respectively, to and from the said territories, shall not be entirely prohibited: provided only that it shall not be lawful for them in any time of war, between the British Government and any State or Power whatever, to export from the said territories, without the special permission of the British Government, any military stores, or naval stores, or rice. (Article III.)

Vessels and Cargoes. Import and Export Duties.

The citizens of the United States shall pay for their vessels, when admitted, no higher or other duty or charge than shall be payable on the vessels of the most favoured European nations, and they shall pay no higher or other duties or charges on the importation or exportation of the cargoes of the said vessels than shall be payable on the same articles when imported or exported in the vessels of the most favoured European nations. But it is expressly agreed that the vessels of the United States shall not carry any articles from the said principal Settlements to any port or place, except to some port or place in the United States of America, where the same shall be unladen. (Article III.)

Coasting Trade.

It is also understood that the permission granted by this Article is not to extend to allow the vessels of the United States to carry on any part of the coasting trade of the said British territories, but the vessels of the United States having, in the first instance, proceeded to one of the said principal Settlements of the British dominions in the East Indies, and then going with their original cargoes, or any part thereof, from one of the said principal Settlements to another, shall not be considered as carrying on the coasting trade. (Article III.)

Vessels: India. China. Cape of Good Hope. St. Helena. British Possessions in Africa or Indian Seas.

The vessels of the United States may also touch for refreshment, but not for commerce, in the course of their voyage to or from the British territories in India, or to or from the dominions of the Emperor of China, at the Cape of Good Hope, the Island of St. Helena, or such other places as may be in the possession of Great Britain, in the African or Indian Seas; it being well

Country.	Date.	Subject.	When Terminable. ¹
UNITED STATES (<i>continued</i>)	July 3, 1815	Commerce and Navigation	.. .. .
" "	Oct. 20, 1818	Commerce and Navigation	All the provisions of the Convention "to regulate the commerce between the territories of His Britannic Majesty and of the United States," concluded at London on the 3rd July, in the year of our Lord 1815, with the exception of the clause which limited its duration to four years, and excepting also so far as the same was affected by the Declaration of His Majesty respecting the Island of St. Helena, are hereby extended and continued in force for the term of ten years from the date of the signature of the present Convention, in the same manner as if all the provisions of the said Convention were herein specially recited. (Article IV.)
" "	Aug. 6, 1827	Commerce and Navigation	All the provisions of [the Convention concluded between His Majesty the King of the United Kingdom of Great Britain and Ireland and the United States of America, on the 3rd July, 1815, and further continued for the term of ten years by the IVth Article of the Convention of the 20th October, 1818, with the exception therein contained as to St. Helena, are hereby further indefinitely, and without the said exception, extended and continued in force, from the date of the expiration of the said ten years, in the same manner as if all the provisions of the said Convention of the 3rd July, 1815, were herein specifically recited. (Article I.) It shall be competent, however, to either of the Contracting Parties, in case either should think fit, at any time after the expiration of the said ten years—that is, after the 20th October, 1828—on giving due notice of twelve months to the other Contracting Party, to annul and abrogate this Convention; and it shall, in such case, be accordingly entirely annulled and abrogated, after the expiration of the said term of notice. (Article II.)
URUGUAY	Nov. 13, 1885	Commerce and Navigation	The present Treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications;* and in case neither of the two Contracting Parties shall have given notice, twelve months before the expiration of the said period of ten years, of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice. (Article XVI.)

* May 22, 1886.

Most-favoured-nation Treatment.

.. .. .

If applicable to British Colonies.

understood that in all that regards this Article the citizens of the United States shall be subject, in all respects, to the laws and regulations of the British Government from time to time established. (Article III.)

West Indies and North America.

The intercourse between the United States and His Britannic Majesty's possessions in the West Indies, and on the Continent of North America, shall not be affected by any of the provisions of this Article, but each Party shall remain in the complete possession of its rights with respect to such an intercourse. (Article II.)

Commerce and Navigation.

The High Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation. (Article I.)

Import Duties.

The produce and manufactures of, as well as all goods coming from, the dominions and possessions of Her Britannic Majesty, which are imported into Uruguay, and the produce and manufactures of, as well as all goods coming from, Uruguay, which are imported into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and, in particular, shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures, and goods of any third country the most favoured in this respect. (Article II.)

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The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty so far as the laws permit, excepting to those hereinafter named that is to say, except to—

- † India.
- * The Dominion of Canada.
- * Newfoundland.
- † New South Wales.
- † Victoria.
- † South Australia.
- * Western Australia.
- * Queensland.
- * Tasmania.
- † New Zealand.
- * The Cape.
- * Natal.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or

* The Colonies marked thus (*) have acceded to the above Treaty.

† Those marked thus (†) have stated that they do not desire to accede to it.

Most-favoured-nation Treatment.

It applicable to British Colonies.

Export Duties.

No other or higher duties shall be levied in Uruguay on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty on the exportation of any goods to Uruguay, than may be levied on the exportation of the like goods to any third country the most favoured in this respect. (Article II.)

Prohibitions.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favoured in this respect. (Article II.)

Local Dues, Customs Formalities, Brokerage, Patterns, &c. Trade.

In like manner, in all that relates to local dues, Customs formalities, brokerage, patterns or samples introduced by commercial travellers, and all other matters connected with trade, British subjects in Uruguay, and Uruguayan citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favoured-nation treatment. (Article II.)

Changes in Laws, Customs Tariff, &c.

In the event of any changes being made in Uruguayan laws, Customs Tariff, or regulations, sufficient notice shall be given in order to enable British subjects to make the necessary arrangements for meeting them. (Article II.)

Ships and Cargoes.

British ships and their cargoes shall, in Uruguay, and Uruguayan vessels and their cargoes shall, in the dominions and possessions of Her Britannic Majesty, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes. (Article III.)

Port, Harbour, Pilotage, &c., Dues.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and generally to all matters connected with navigation. (Article III.)

Ships and Cargoes. Favours and Exemptions.

Every favour or exemption in these respects, or any other privilege in matters of navigation which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the law of Uruguay, are to be deemed Uruguayan vessels, shall, for the purpose of this Treaty, be respectively deemed British or Uruguayan vessels. (Article III.)

Coasting Trade.

The coasting trade is excepted from the stipulations of the present Treaty, and remains subject to the respective laws of the two countries. (Article III.)

Inventions, Trade-marks, &c.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as natives, or as subjects or citizens of the most favoured nation, in regard to patents for inventions, trade-marks, and designs, and the protection of industrial property, upon fulfilment of the formalities prescribed by law. (Article VIII.)

foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in the Oriental Republic of the Uruguay to the Uruguayan Minister for Foreign Affairs within two years from the date of the exchange of the ratifications of the present Treaty. The Treaty shall apply in the case of such Colonies or foreign possessions from the date when this notice is given to the Uruguayan Minister for Foreign Affairs. (Article XIV.)

Country.	Date.	Subject.	When Terminable.					
URUGUAY (<i>continued</i>)	.. Nov. 13, 1885	Commerce and Navigation	..	..	..	..	..	..

Most-favoured-nation Treatment.

If applicable to British Colonies.

Consular Officers, Privileges, Exemptions, &c.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in towns or ports in the dominions and possessions of the other Power. Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to Consular officers of the most favoured nation. (Article IX.)

Wrecks and Salvage.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather, or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to continue their voyage, without paying any dues other than such as would be payable in a similar case by a vessel of the most favoured nation. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Uruguayan Consul-General, Consul, Vice-Consul, or Consular Agent in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a vessel of the most favoured nation.

The goods and merchandize saved from the wreck shall be exempt from all duties of customs unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a vessel of the most favoured nation.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen. (Article XII.)

Country.	Date.	Subject.	When Terminable.
VENEZUELA	Apr. 18, 1825	Commerce and Navigation	No time fixed. And for as much as it would be convenient and useful for the purpose of facilitating the mutual good understanding between the two Contracting Parties, and for avoiding all difficulties henceforward, that other Articles should be proposed and added to the present Treaty, which Articles, both from a want of due time for their consideration, as well as from the pressure of circumstances, cannot at present be drawn up with required perfection, it has been and is agreed, on the part of both Powers, that they will, with the least possible delay, come forward to treat and agree upon such Articles as may be wanting to this Treaty, and deemed mutually beneficial; and which Articles, when they shall be agreed upon and shall be duly ratified, shall form part of the present Treaty of Amity, Commerce, and Navigation. (Article XIV.)
.. ..	Oct. 29, 1834	..	No time fixed

*Most-favoured-nation Treatment.**Subjects. Ships and Cargoes. Houses and Warehouses.*

There shall be between all the territories of His Britannic Majesty in Europe, and the territories of Colombia, a reciprocal freedom of commerce. The subjects and citizens of the two countries, respectively, shall have liberty, freely and securely, to come, with their ships and cargoes, to all such places, ports, and rivers in the territories aforesaid, to which other foreigners are or may be permitted to come, to enter into the same, and to remain and reside in any part of the said territories respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce, subject always to the laws and statutes of the two countries respectively. (Article II.)

His Majesty the King of the United Kingdom of Great Britain and Ireland engages further that the citizens of Colombia shall have the like liberty of commerce and navigation stipulated for in the preceding Article, in all his dominions situated out of Europe, to the full extent in which the same is permitted at present, or shall be permitted hereafter, to any other nation. (Article III.)

Import Duties. Growth, Produce, and Manufactures.

No higher or other duties shall be imposed on the importation into the territories of His Britannic Majesty of any articles of the growth, produce, or manufacture of Colombia, and no higher or other duties shall be imposed on the importation into the territories of Colombia of any articles of the growth, produce, or manufacture of His Britannic Majesty's dominions than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country. (Article IV.)

Export Duties.

Nor shall any other or higher duties or charges be imposed in the territories or dominions of either of the Contracting Parties on the exportation of any articles to the territories or dominions of the other than such as are or may be payable on the exportation of the like articles to any other foreign country. (Article IV.)

Prohibitions. Imports and Exports.

Nor shall any prohibition be imposed upon the exportation or importation of any articles the growth, produce, or manufacture of His Britannic Majesty's dominions, or of the said territories of Colombia, to or from the said dominions of His Britannic Majesty, or to or from the said territories of Colombia, which shall not equally extend to all other nations. (Article IV.)

Lading and Unlading of Ships. Safety of Merchandise, Goods, and Effects. Property. Justice. Rights, Privileges, and Liberties.

In whatever relates to the lading and unlading of ships, the safety of merchandise, goods, and effects, the succession to personal estates, and the disposal of personal property of every sort and denomination, by sale, donation, exchange, or testament, or in any other manner whatsoever, as also the administration of justice, the subjects and citizens of the two Contracting Parties shall enjoy, in their respective dominions and territories, the same privileges, liberties, and rights as the most favoured nation, and shall not be charged, in any of these respects, with any higher imposts or duties than those which are paid, or may be paid, by the native subjects or citizens of the Power in whose dominions or territories they may be resident. (Article IX.)

Whereas a Treaty of Amity, Commerce, and Navigation, consisting of fifteen Articles, was concluded between His Majesty the King of the United Kingdom of Great Britain and Ireland and the State of Colombia, which said Treaty, together with an Additional Article thereto, was signed at Bogotá on the 18th day of April, 1825.

*If applicable to British Colonies.**Ships. Cargoes. Import Duties, &c.*

Applicable to "all the British dominions situated out of Europe." (Articles III and IV.)

Country.	Date.	Subject.	When Terminable.
ENEZUELA (<i>continued</i>) ..	Oct. 29, 1834	..	.. .. .. ..
ANZIBAR ..	Apr. 30, 1886	Commerce and Navigation	The present Treaty shall remain in force for a period of fifteen years, to reckon from the day of the exchange of ratifications.* It shall be competent for the High Contracting Parties thereafter to move for a revision of the present Treaty, in order to allow of such alterations, additions, or amendments as experience may have shown to be necessary or desirable; but such a motion must be notified by the Party claiming a revision one year previous to the expiration of the present Treaty, otherwise what is herein agreed upon shall be considered binding upon both Parties for a further period of ten years. (Article XXVI.)

* August 17, 1886.

Most-favoured-nation Treatment.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and the State of Venezuela, the independence of which State is hereby acknowledged, recognized, and declared by His said Majesty, mutually agree to adopt and confirm, as effectually as if the same were inserted word for word herein, the several Articles and provisions of the aforesaid Treaty concluded between His said Majesty and the State of Colombia, together with the aforesaid Additional Article thereto; and that all the matters and things contained in such Treaty and Additional Article shall, *mutatis mutandis*, from and after the conclusion of the present Convention, be applied to the High Contracting Parties, their subjects and citizens, as effectually as if they were recited word for word herein; confirming and approving hereby all matters and things done or to be done, by their respective subjects and citizens, under the aforesaid Treaty, and in execution thereof. (Article I.)

Freedom of Commerce and Navigation.

Subjects of Her Britannic Majesty shall enjoy, immediately and unconditionally, throughout the dominions of His Highness the Sultan of Zanzibar, with respect to commerce, shipping, and the exercise of trade, as in every other respect, all the rights, privileges, immunities, advantages, and protection of whatsoever nature, which are, or hereafter may be, enjoyed by or accorded to the subjects or citizens of the most favoured nation. (Article II.)

Duties, Imposts, &c.

They shall more especially not be liable to other or more onerous duties, imposts, restrictions, or obligations, of whatever description, than those to which subjects or citizens of the most favoured nation now are, or hereafter may be, subjected.

The rights of the most favoured nation shall also be accorded to subjects of His Highness the Sultan of Zanzibar within the territories of Her Britannic Majesty. (Article II.)

Consular Officers, Privileges, &c.

The High Contracting Parties acknowledge the right of appointing Consular officers to reside in each other's dominions, wherever this may be deemed to be desirable in the interest of commerce or otherwise, and such Consular officers, together with their Assistants and those in their service, shall enjoy, with regard to their persons and houses, and also in the exercise of their official duties, in addition to the rights herein stipulated, the same honours and privileges as are, or in future shall be, enjoyed by Consular officers of the most favoured nation. In event of a riot or other disturbance of the public peace, His Highness the Sultan shall provide the British Consular officers, at their request, with a guard, in order to guarantee their safety and the inviolability of the Consular office and dwelling, and shall, at the request of a British Consular officer, place the police force at his disposal to assist in effecting arrests, or in the execution of his official duties. (Article III.)

Monopolies.

His Highness the Sultan of Zanzibar binds himself not to allow or recognize the establishment of any kind of monopoly or exclusive privilege of trade within his dominions to any Government, Association, or individual. (Article IV.)

If applicable to British Colonies.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Zanzibar to His Highness the Sultan within two years from the date of the exchange of the ratifications of the present Treaty. (Article XXIV.)

Most-favoured-nation Treatment.

If applicable to British Colonies.

Import Duties.

His Highness the Sultan shall be permitted to levy a duty of entry not exceeding 5 per cent. on the value of all goods and merchandize, of whatever description, imported by sea from foreign countries, and landed at any port in the islands or on the coast of the mainland of Africa within the dominions of His Highness. This duty shall be paid at that port in His Highness' dominions where the goods are first landed, and on payment thereof such goods shall thereafter be exempt, within the Zanzibar dominions, from all other customs duties or taxes levied by or on behalf of the Government of His Highness the Sultan, by whatever names these may be designated, and no higher import duty shall be claimed from British subjects than that which is paid by subjects or citizens of the most favoured nation.

This duty once paid shall cover, from all other charges on the part of His Highness the Sultan, goods of whatever description coming from foreign countries by sea, whether these are intended for local consumption or for transmission elsewhere, in bulk or otherwise, and whether they remain in the state in which they are imported or have been manufactured. (Article VII.)

Spirituous Liquors.

Spirits and spirituous liquors of all kinds imported into the dominions of His Highness the Sultan from abroad shall be subject to an entry or import duty of 25 per cent. *ad valorem*. Beer and wines containing less than 20 per cent. by volume of alcohol are not to be considered or classed as spirituous liquors within the meaning of this Article. These latter, therefore, remain subject to the common entry duty of 5 per cent. *ad valorem*.

There shall, however, be exempted from payment of all duty the following, namely:—

1. All goods and merchandize which, being destined for a foreign port, are transhipped from one vessel to another in any of the ports of His Highness the Sultan of Zanzibar, or which have been for this purpose provisionally landed and deposited in any of the Zanzibar custom-houses to await the arrival of a vessel in which to be reshipped abroad. But goods and merchandize so landed shall be exempted only provided that the consignee or his agent shall have, on the arrival of the ship, handed over the said goods to be kept under Customs seal, and declared them as landed for transshipment, designating at the same time the foreign port of destination, and also provided that the said goods are actually shipped for the same foreign port as originally declared, within a period not exceeding six months after their first landing, and without having in the interval changed owners.
2. All goods and merchandize which, not being co-signed to a port within the dominions of the Sultan, have been inadvertently landed, provided that such goods and merchandize are reshipped on board of the same vessel and therein are transported abroad. Should, however, such goods or merchandize here spoken of be opened or removed from the custody of the Customs authorities, the full duty shall then be payable on the same.
3. Coals, naval provisions, stores and fittings, the property of Her Majesty's Government, landed in the dominions of His Highness for the use of the ships of Her Majesty's navy.
4. All goods and merchandize transhipped or landed for the repair of damage caused by stress of weather or other disasters at sea, provided the cargo so discharged shall be reshipped and taken away on board of the same vessel, or if the latter shall have been condemned, or her departure delayed, in any other.

Country.	Date.	Subject.	When Terminable.					
ZANZIBAR (<i>continued</i>) ..	Apr. 30, 1886	Commerce and Navigation	..	..	..	..	..	..
ZOLLVEREIN. (<i>See</i> GER- MANY AND RUSSIA.)								

Foreign Office,
November 30, 1893.

Most-favoured-nation Treatment.

If applicable to British Colonies.

5. Machines and implements for agricultural purposes, also all materials destined for the construction and-maintenance of roads, tramways, or railroads, and generally all means of conveyance certified by the attestation of a British Consular officer resident in Zanzibar dominions to be destined for countries inland and west of His Highness' dominions.

Article VII.)

Customs.

is Highness the Sultan of Zanzibar engages by the present Treaty to provide, and give orders to his officials, that the movement of goods in transit shall not be obstructed or delayed in a vexatious manner by unnecessary Customs formalities and regulations, and that every facility will be given for their transport by land and river, and that as far as is consistent with the special provisions of this Treaty the principles approved of by the Congo Conference shall be carried out.

is Highness further undertakes to see that a custom-house answering all requirements of commerce be erected at Zanzibar, with stores secure against fire, decay, or theft, for the protection of the goods placed therein. The conditions under which goods shall be stored, and the charges to be levied on account thereof, shall be subject to future agreement between His Highness the Sultan and the Representatives of the several Treaty Powers.

(Article XII.)

NATIONALITY AND NATURALIZATION.

REPORTS

BY

HER MAJESTY'S REPRESENTATIVES ABROAD

UPON THE

LAWS OF FOREIGN COUNTRIES.

*Presented to both Houses of Parliament by Command of Her Majesty.
June 1893.*

LONDON:

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NATIONALITY AND NATURALIZATION.

Reports by Her Majesty's Representatives abroad upon the Laws of Foreign Countries.

Circular addressed to Her Majesty's Representatives abroad.

My Lord,

Sir,

Foreign Office, October 13, 1892.

I HAVE to request that you will forward to me, with as little delay as possible, copies and translations of the Laws in force in the country in which you reside relating to nationality and naturalization.

You should accompany these documents with any observations which you may think necessary to explain the exact effect of the Laws, especially as regards foreigners; and you should not fail to indicate the nature and bearing of any decisions of Courts, or Regulations which may affect their interpretation.

When Reports upon this subject have been received from all of Her Majesty's Representatives abroad, it is proposed to lay the collection before Parliament.

Any future changes in the existing Law should at once be reported as they occur.

I am, &c.

(Signed) ROSEBERRY.

PART I.

EUROPEAN COUNTRIES.

AUSTRIA.

No. 1.

Sir A. Paget to the Earl of Rosebery.—(Received November 2.)

My Lord,

Vienna, October 29, 1892.

WITH reference to your Lordship's Circular of the 13th instant, I have the honour to report that the status of an Austrian subject is acquired—

- (1.) By birth.
- (2.) By marriage.
- (3.) By acceptance of public service.
- (4.) By undertaking business requiring domicile in the country.
- (5.) By uninterrupted residence of ten years in the Monarchy.
- (6.) By special concession.

1. Section 28 of the Civil Code prescribes that nationality belongs by right of birth to children whose fathers are Austrian subjects.

2. A Decree, dated the 23rd February, 1833, prescribes that any woman of foreign origin acquires Austrian nationality by marrying an Austrian subject.

3, 4, and 5. Section 29 of the Civil Code prescribes that foreigners acquire Austrian nationality by entering the public service; by embarking in business the conduct of which necessitates regular domicile in the country; and by uninterrupted residence during ten years within the dominions of the State without the commission of any offence entailing a penalty.

6. Section 30 of the Civil Code provides for the naturalization of a foreigner, irrespective of the above conditions, on production of evidence of the applicant's means, capacity for earning a livelihood, and good behaviour.

I have the honour to inclose copies and translations of the several extracts from the Laws and Decrees of this Empire to which reference has been made above; and in regard to any decisions of Courts of Law which may affect them, I may remark that such questions would not be brought to the cognizance of those Courts, as they are dealt with purely as matters of administration.

I may, however, mention that the Law by which nationality is acquired in virtue of business occupation seems to be practically obsolete. Nationality is not imposed as a condition consequent upon such occupation, foreigners being fully entitled to carry on business in the Austrian Empire without undergoing any alteration of their foreign status.

It should also be observed that the Statute requires that an Austrian subject should belong by right of domicile to some civil district ("Gemeinde"); (the text runs: "Jeder Staatsbürger soll in einer Gemeinde heimatbsberechtigt sein"); and that this condition applies equally to a naturalized subject, who must therefore secure his acceptance as a member of some civil district ("Gemeinde") as a necessary step towards his assumption of the intended new nationality.

I beg to append a despatch from Sir A. Nicolson, inclosing a translation of the Law in force in Hungary with respect to nationality and naturalization.

I have, &c.

(For the Ambassador),

(Signed)

WILLIAM A. C. BARRINGTON.

Inclosure 1 in No. 1.

Section 28 of the General Civil Code.
(Translation.)

THE full enjoyment of civil rights is acquired by nationality. Nationality in the hereditary dominions is inherent in children in virtue of their birth if the father be an Austrian subject.

Inclosure 2 in No. 1.

Order in Council of the 23rd February, 1833.

(Translation.)

AS a supplement to the mode of acquiring Austrian nationality established by the General Civil Code, and in accordance with section 32 thereof, and with section 19 of the Emigration Ordinance of the 24th March, 1832, His Imperial and Royal Majesty has been pleased to prescribe that Austrian nationality shall be also acquired by a foreign female in virtue of her marriage with an Austrian subject.

Inclosure 3 in No. 1.

Section 29 of the General Civil Code.

(Translation.)

FOREIGNERS acquire Austrian nationality by entrance into the public service; by taking up a business the conduct of which necessitates regular domicile in the country; by a complete and unbroken residence of ten years in the dominions, subject to the condition, however, that during this time the foreigner has not brought on himself any penalty as a consequence of being guilty of an offence against the law.

Inclosure 4 in No. 1.

Section 30 of the General Civil Code.

(Translation.)

EVEN without taking up a trade or craft, and before the expiration of ten years, application for naturalization can be made to, and granted by, the political authorities, on assurance being forthcoming on the part of the applicant as to his means, his capacity for earning a livelihood, and his moral behaviour.

Inclosure 5 in No. 1.

Section 46 of the Regulation of April 7, 1850.

(Translation.)

JUDGMENT as to the existence of the necessary conditions for acquiring nationality, and recognition of civil rights in favour of the individual seeking them on the strength of the guarantees given by him as to his personal position, will till further orders be at the discretion of the provincial Governors.

Should application for naturalization be made without the conditions for admission to civil rights being fulfilled, the matter will be referred for decision to the Minister of the Interior.

Inclosure 6 in No. 1

Sir A. Nicolson to Sir A. Paget.

Sir,

Buda-Pesth, October 28, 1892.

WITH reference to your Excellency's despatch of the 21st instant, I have the honour to transmit herewith, in original as well as in translation made by Mr. Vice-Consul Brüll, the only Law which is in force in Hungary governing the questions of nationality and naturalization. I do not think that there are any observations to be

made on the subject, as the Law speaks clearly for itself; except perhaps to note that it is possible for a Hungarian to possess a twofold nationality, as in assuming a foreign nationality he does not thereby necessarily divest himself of that of his original mother country. With regard to clause 48, I should explain that the provisions do not apply to those foreigners who have come to reside in Hungary subsequent to 1879. The Tribunals do not deal with any cases which may arise out of the provisions of the Law; but the several competent Ministries determine upon them in an administrative way.

I have, &c.
(Signed) A. NICOLSON.

Inclosure 7 in No. 1.

Law (L of the year 1879) relating to the Acquisition and Loss of Hungarian Nationality.

(Translation.)

§ 1. THE nationality is one and the same in all the countries of the Hungarian Crown.

Acquisition of Nationality.

§ 2. Hungarian nationality can only be acquired—

- (1.) By descent.
- (2.) By legitimation (*per subsequens matrimonium*).
- (3.) By marriage.
- (4.) By naturalization.

Descent.

§ 3. Hungarian nationality is acquired through descent by the legitimate children of a Hungarian subject, and by the illegitimate children of a woman being a Hungarian subject; in both cases, even if the birth takes place abroad.

Legitimation.

§ 4. Hungarian nationality is acquired through legitimation (*per subsequens matrimonium*) by illegitimate children of a Hungarian subject born of a woman being an alien.

Marriage.

§ 5. Hungarian nationality is acquired through marriage by a woman, being an alien, who becomes married to a Hungarian subject.

Naturalization.

§ 6. Hungarian nationality is acquired by an alien who has obtained from either of the authorities mentioned in § 11 a certificate of naturalization, or from His Majesty a diploma of naturalization, and who has taken the oath or solemn declaration of Hungarian nationality.

§ 7. The Hungarian nationality which has been acquired by a naturalized male alien shall be extended to his wife and those of his children who are minors and under his paternal power (*patria potestas*).

§ 8. Certificate of naturalization for the acquisition of Hungarian nationality can only be obtained by an alien under the following conditions:—

(1.) Provided he is legally empowered to act of his own free will; or, if he is not so legally empowered, provided he has obtained the consent of his lawful representative.

(2.) Provided he is a member of any home parish community, or if he is in process of becoming so.

(3.) Provided he has been living in the interior for five years without interruption.

(4.) Provided he has a blameless character.

(5.) Provided he is possessed of such means, or earns sufficient, to enable him to support himself and family according to the conditions of his place of abode.

(6.) Provided he has been inscribed on the list of taxpayers for five years.

In cases of naturalization of aliens by adoption according to the requirements of the Hungarian laws, the fulfilment of the conditions specified in paragraphs (3), (5), and (6) of this section is not required, provided that the person adopting such aliens has complied with the requirements contained in paragraphs (5) and (6).

§ 9. Applications for the acquisition of Hungarian nationality shall be properly furnished with the necessary documents and submitted to the Head of that Municipality ("Vicegespann, Burgomaster"), or in the military frontier to that District Office or Town Council, within the district of which the applicant is domiciled.

§ 10. The authorities mentioned in § 9 shall examine the applications and documents, shall direct the applicant to furnish the necessary papers which might be missing, shall, if any deficiency as regards the form or contents of the papers submitted should make it necessary, make inquiries of the competent authorities, and shall then submit the papers, together with a report thereon, to the Minister of the Interior, or to the Croatian-Slavonian-Dalmatian Ban, or to the chief authorities of the military frontier respectively.

§ 11. Applications for naturalization according to §§ 8, 9, and 10 from those who are domiciled in Hungary and Fiume shall be decided by the Minister of the Interior; for those who are domiciled in Croatia-Slavonia, by the Croatian-Slavonian-Dalmatian Ban, and by the chief authorities of the military frontier respectively, who shall, if complying with the application, issue a certificate of naturalization in favour of the applicant, and shall in each case give notice thereof to the Minister-President for the purpose of record.

§ 12. In the certificate of naturalization it shall be clearly declared that the naturalized alien has become a Hungarian subject; and the certificate shall, in the case provided in § 7, also contain the names of the wife and children who may be affected by the naturalization.

§ 13. The authorities mentioned in § 9 shall, after receiving the certificate of naturalization, inform the applicant thereof, appointing at the same time the day on which he will have to take the oath (or solemn declaration) of allegiance.

§ 14. The form of the oath (or solemn declaration) of allegiance shall be the following:—

"I, _____, do swear (solemnly declare) before the living God that I will be faithful to His Imperial and Royal Majesty the Apostolic King of Hungary and to the Constitution of the lands of the Hungarian Crown, and promise that I will faithfully fulfil my duties as a Hungarian subject."

§ 15. Minutes shall be drawn up of the oath (solemn declaration) sworn (declared), and it shall be signed by the person who has taken the oath (declaration).

The date of the oath (declaration) shall be written on the certificate of naturalization, which shall be signed by the person before whom the oath (declaration) was made, and handed over to the naturalized subject.

From this day the naturalized alien shall be deemed to be a Hungarian subject; he shall, however, except the case provided for in § 17, not be able to be a member of the Legislature until ten years shall have elapsed since the date of his naturalization.

§ 16. If the alien in whose favour the certificate of naturalization was issued, and who has been summoned to swear the oath of allegiance (declaration), does not take the oath (declaration) within one year from the receipt of the summons, the certificate of naturalization becomes void, and shall be returned, together with the acknowledgment of the receipt of the summons, to the authorities which have issued the same.

§ 17. The Ministry can propose to His Majesty the naturalization of such aliens as have special and extraordinary merits in regard to the lands of the Hungarian Crown, and are either residing in Hungary or declare that they intend to settle in that country.

Such persons need not necessarily comply with the conditions of the paragraphs (2), (3), and (6) of § 8.

If the alien who has been naturalized according to this clause has not yet applied to any home parish community for incorporation, he shall be deemed to belong temporarily to the community of Buda-Pesth.

The above clauses 12, 13, 14, 15, and 16 shall also apply to aliens naturalized by Royal diploma.

§ 18. The naturalization does not involve the acquisition of Hungarian nobility by the naturalized alien.

§ 19. As long as their foreign nationality is not proved, all those shall be deemed to be Hungarian subjects—

- (1.) Who were born within the limits of the lands of the Hungarian Crown.
- (2.) Foundlings found in the territories of the Hungarian Crown, and brought up as such within the said territories.

Loss of Nationality.

§ 20. Hungarian nationality is lost—

- (1.) By being liberated from allegiance.
- (2.) By decision of the authorities.
- (3.) By absence.
- (4.) By legitimation.
- (5.) By marriage.

Liberation from Allegiance.

§ 21. The cases of liberation shall be decided in time of peace by the Minister of the Interior for those who belong to Hungary and Fiume, and by the Croatian-Slavonian-Dalmatian Ban, and the chief authorities of the military frontier for those who belong to Croatia, Slavonia, and the military frontier respectively.

If the request for liberation has been acceded to, it shall be declared in the decision that the applicant is freed from allegiance.

The Minister-President shall be informed of such decisions for the purposes of record.

§ 22. Those who belong to the army or navy, or to the reserve or the supplementary reserve, can only be liberated from allegiance if they obtain a letter of dismissal from the Common Minister of War, or from the Honvéd Minister if they belong to the Honvéds (National Defence).

Those who do not belong to the above military bodies, but are not finally freed from military service, can only be liberated from allegiance if they have already completed their 17th year of age, and are furnished with a certificate of the Municipality to which they belong to the effect that their application has not the object of liberating themselves from military service.

§ 23. Exemptions from the provisions contained in § 22 are made in the cases of those who desire to acquire Austrian nationality, if reciprocity is accorded by that State.

Such persons can be liberated from allegiance if they furnish evidence that they fulfil all the requirements specified in paragraphs (1), (2), and (3) of § 24.

This decision, however, is to be communicated to the Imperial and Royal Austrian Ministry.

§ 24. Liberation from the allegiance, except for the reasons provided for in § 22, cannot in time of peace be refused to anybody—

(1.) Provided that he is legally empowered to act of his own free will, or that his father consents to it, or that his guardian or curator, with the approval of the Board of Wards, accedes to his application.

(2.) Provided that he is in no arrear with any State or communal taxes.

(3.) Provided that there is no criminal prosecution against him in the lands of the Hungarian Crown, nor any criminal judgment against him extant and unexecuted.

§ 25. Application for liberation from allegiance in war-time shall, on representation of the Ministry in each case, be decided by His Majesty.

§ 26. Liberation shall be extended to the wife and, so far as the exception according to § 22 has not to take place, to those of the children who are minor and under paternal power, provided that the above persons emigrate together with the applicant.

§ 27. Applications for liberation from allegiance have to be accompanied with the necessary documents, and to be submitted to the Head of the Municipality ("Vicegespann, Burgomaster"), and in the military frontier to that District Office or Town Council within the territory of which the parish to which the applicant belongs is situated.

These authorities shall deal with such applications according to the provisions of § 10.

§ 28. It shall be clearly expressed in the certificate of liberation that the Hungarian subject is liberated from Hungarian allegiance, and in the case provided for in § 26, the names must be given of the wife and of those children to whom liberation is extended.

§ 29. On the day of the delivery of the certificate of liberation, the Hungarian nationality is lost.

The liberation becomes void, however, if any of the impediments provided for in

paragraphs (2) and (3) of clause 24 should occur before the emigration, and it becomes also void if the liberated person has not emigrated within one year from the date of the delivery of the certificate of liberation.

§ 30. The authorities mentioned in § 11 are empowered to declare the loss of nationality in regard to such persons, belonging to any parish within their jurisdiction, who have without their consent taken service under a foreign State, and have not given up such service upon their demand.

Notice of the decisions issued according to this section shall be given in each case to the Minister-President for record.

Absence.

§ 31. Any Hungarian subject who is residing out of the lands of the Hungarian Crown for ten years without interruption, and without a commission of the Hungarian Government, or of the common Austro-Hungarian Ministers, loses Hungarian nationality.

The time of absence begins on the day on which the Hungarian subject has left the boundaries of the territories of the Hungarian Crown without having given notice to the competent authorities mentioned in § 9 of his intention to retain his nationality; and in case of having left with a passport, the absence begins with the last day of the time for which the passport was granted.

The continuity of the absence is interrupted by giving notice to the above authorities of the intention of retaining the Hungarian nationality, by procuring a new passport, by obtaining a certificate of domicile from any Austro-Hungarian Consular office, or by the entry of the name of the Hungarian subject in the register of any Austro-Hungarian Consular community.

§ 32. The loss in this way of Hungarian nationality shall be extended to the wife living with the Hungarian subject, and to those of his minor children who are under his paternal power.

Legitimation.

§ 33. Illegitimate children lose their Hungarian nationality if legitimized according to the laws of the country to which their alien father belongs, unless the nationality of their father be not acquired in virtue of such legitimation, and they continue (after such legitimation) to be domiciled within the limits of the lands of the Hungarian Crown.

Marriage.

§ 34. Any woman who marries an alien loses her Hungarian nationality.

§ 35. An alien woman who marries a Hungarian subject does not lose her Hungarian nationality by becoming a widow, or by being judicially separated from her husband, or by the dissolution of her marriage.

§ 36. A Hungarian subject who has assumed foreign nationality shall be deemed to be a Hungarian subject so long and until he has lost his Hungarian nationality according to the provisions of this law.

Reacquisition of Hungarian Nationality.

§ 37. Hungarian nationality is reacquired by a woman who has married a foreign subject, and whose marriage has become invalidated by the competent judicial authorities.

Repatriation.

§ 38. Those who have lost their Hungarian nationality and want to be repatriated, have to comply with the requirements for the acquisition of nationality, as above mentioned, provided that the following sections do not constitute exemptions therefrom.

§ 39. Any Hungarian subject who has lost his nationality by liberation or absence, and has not acquired any foreign nationality, can be repatriated even if he has not returned within the limits of the lands of the Hungarian Crown.

In this case the repatriated subject will belong to the parish community of which he was formerly a member.

§ 40. Any Hungarian who has lost his nationality by liberation or absence, and returned within the limits of the lands of the Hungarian Crown, and has become a member of any inland parish community, shall be repatriated at his request.

§ 41. Any Hungarian woman who has lost her nationality by the liberation of her husband, or by her marrying an alien, if she is judicially separated from her husband, if her marriage becomes dissolved, or she becomes a widow, and if she becomes a member of any home parish community, shall be repatriated at her request.

§ 42. Any Hungarian of minor age who has lost his Hungarian nationality by the liberation or absence of his father, shall, with the approval of his guardian, be repatriated at his request, provided that his father has died, or if he has come of age according to the laws of the State of which he is a subject, and in both cases if he becomes a member of any inland parish community.

§ 43. The request for repatriation shall, in the cases provided for in §§ 38, 39, 40, 41, and 42, be submitted to those authorities mentioned in § 9 within whose jurisdiction is the parish of which the person to be repatriated is a member.

§ 44. The provision of § 15, according to which naturalized Hungarians can only after ten years become members of the Legislature, does not, as a rule, apply to repatriated Hungarians unless the latter have acquired Hungarian nationality by naturalization (§ 6), and ten years have not elapsed since the acquisition of nationality.

Final Regulations.

§ 45. (Rules as to the form of registers of naturalizations and liberations from allegiance to be kept by the authorities.)

§ 46. Naturalization and liberation from allegiance are not subject to any separate fees or dues, except the regular fees.

§ 47. Exceptions from this Law are to be observed towards those States with which Treaties are in force on this subject, in so far as such Treaties contain provisions divergent from those of this Law.

§ 48. All Laws and Regulations contrary to this Law are hereby repealed.

All those who have been living within the limits of the lands of the Hungarian Crown, even if in different places, at least for five consecutive years until the day on which this Law comes into force, and are entered on the list of tax-payers of any home parish, shall be deemed to be Hungarian subjects, unless they apply within one year from the day this Law comes into force to that Municipality or, in the military frontier, to that District Office or Town Council, within the jurisdiction of which their last domicile is situated, and unless they prove that they have retained their foreign nationality.

The ten years fixed in § 31 shall begin, for those who left Hungary before the enforcement of this Law, from the day on which this Law is put into force.

§ 49. The special provisions contained in this Law in regard to the military frontier and its authorities, have only a provisional character, and are in force only until the administration of the military frontier becomes connected with Croatia-Slavonia.

§ 50. The Government, the Minister of the Interior, the Croatian-Slavonian-Dalmatian Ban, and the authorities of the military frontier respectively, are charged with the execution of the provisions of this Law.

BELGIUM.

No. 2.

Sir E. Monson to the Earl of Rosebery.—(Received February 27.)

My Lord,

Brussels, February 25, 1893.

WITH reference to your Lordship's despatch marked Circular of the 13th October last, I have the honour to transmit herewith a Report by Mr. Adam, Secretary of Her Majesty's Legation, on the Laws respecting nationality and naturalization in Belgium.

Appended to this Report are the texts and translations of the general Laws dealing with those subjects, and in a separate inclosure the texts and translations of those transitory or special measures to which allusion is made by Mr. Adam in the course of his Report.

I have, &c.

(Signed) EDMUND MONSON.

Inclosure 1 in No. 2.

Observations on the Laws respecting Nationality and Naturalization in Belgium.

THE numerous political changes through which the territory comprised in the present Kingdom of Belgium has passed during the last hundred years have naturally led to corresponding alterations in the legislation in force in regard to nationality and naturalization.

Under the Austrian Government, previous to the conquest of the Belgian provinces by France in 1795, the subject was regulated by sundry customary provisions, which recognized as Belgian subjects—

(a.) Any person born in Belgium of a Belgian father.

(b.) Any person born in Belgium of foreign parents, who had permanently established his domicile in the country. (See decision of Belgian Court of Cassation of the 9th April, 1877.)

It was, however, necessary that the parents themselves should have had a real domicile in Belgium at the time of the birth of their child. (Belgian Court of Cassation, 26th March, 1878.)

(c.) Any person born abroad, of Belgian parents who had not deliberately left their country for ever ("sans esprit de retour"), who had, of his own accord, returned to reside in Belgium.

(d.) Any person who had obtained naturalization in the country, or who—by a special custom of the County of Namur—had been baptized there.

(e.) Any foreign woman married to a Belgian.

The above particulars are mainly derived from Defacqz, "Ancien Droit Belgique" (Liv. I, tit. 1, sec. 1).

In 1795 the Belgian provinces were annexed to France, their citizens became Frenchmen, and all questions affecting nationality and naturalization became subject to French law.

Book I, title 1, of the Civil Code, which deals with civil rights, came into force throughout France on the 18th March, 1803, and from that time its provisions were the principles regularly appealed to.

In 1814 Belgium was once more separated from France, and united with Holland to form the Kingdom of the Netherlands.

Article 8 of the Fundamental Law of the 24th August, 1815, introduced an important deviation from the principles of the French Civil Code, by making eligibility to high offices of State dependent upon birth within the Kingdom of the Netherlands or its Colonies, without regard to the nationality of the parents. Articles 9 and 10 of the same Law provided for the naturalization of foreigners.

Although the Netherlands Fundamental Law is no longer in force in Belgium, the provisions of Article 8 have continued of practical interest on account of the interpre-

tation placed upon its language by Belgian Courts of Law, viz., that children born, whether previously or subsequently to the promulgation of the Fundamental Law, until the 25th February, 1831 (the date when the Belgian Constitution came into force), within the territory now forming the Kingdom of Belgium, of parents domiciled within that territory, but foreigners to the Kingdom of the Netherlands, are Belgian subjects.

This is held to be the case even though the parents had taken up their domicile in the country without obtaining the sanction of the Netherlands Government. (Decisions of the Court of Cassation of the 13th August, 1855, and 24th February, 1874.)

But the provisions of Article 8 of the Fundamental Law cannot be appealed to in behalf of the child of Dutch parents domiciled in Belgium, on the ground that, before the Belgian revolution of 1830, no distinction of nationality existed between Dutch and Belgians—all being equally Netherlanders—and a Dutchman domiciled in Belgium was consequently not a “foreigner” within the meaning of the Article. (Decisions of the Court of Cassation of the 3rd April, 1876, 29th January, 1877, 2nd April and 26th March, 1878, and 29th March, 1879.)

The general rule adopted in the legislation of Belgium is that nationality depends upon filiation, or descent, not upon the place of birth. Various special Laws have, however, created exceptions to the rule.

Three modes of acquiring Belgian nationality are generally recognized:—

(a.) By birth.

(b.) By naturalization (under the Naturalization Law of the 27th September, 1835, and the Law of the 15th February, 1844, imposing a registration fee on naturalizations; and, subsequently, under the Naturalization Law of the 6th August, 1881, and the Law of the 7th August, 1881, reducing the amount of the registration fee).

(c.) By the effect of special enactments, passed to meet particular circumstances, or relieve certain classes of persons (*e.g.*, Article 133 of the Belgian Constitution, the Law of the 22nd September, 1835, and the several Laws of the 4th June, 1839, 20th May, 1845, 5th June, 1850, and 30th December, 1853, enabling inhabitants of the ceded portions of Limburg and Luxemburg to retain their Belgian nationality, as well as the Law of the 1st April, 1879).

Most of the above Laws provided for some formal act, within a fixed limit of time, on the part of the persons for whose benefit they were passed.

Native-born Belgians are governed, in respect of their civil rights, by Belgian law, from the moment of their birth, and in some cases from that of their conception, *e.g.*, supposing the father to have been a Belgian when the child was conceived, and to have acquired another nationality before its birth, the child on coming of age shall be entitled to declare his intention of remaining a Belgian, on the ground that “l'enfant conçu est censé né, quand il s'agit de son intérêt.” (Belgian Court of Cassation, 5th March, 1877.)

On the other hand, those persons who become Belgians either by naturalization or special law are only governed by Belgian law from the date of their acquiring the quality of Belgians; their change of nationality has no retroactive effect, and their civil rights previous to that date continue to be regulated by their old nationality.

According to the Civil Code, loss of nationality follows from—

1. Naturalization in a foreign country;
2. Permanent settlement in a foreign country, “sans esprit de retour;” and
3. In the case of a Belgian woman, from her marriage with a foreigner.

In the above cases, the change of nationality must be the result of the free exercise of the will of the person whose allegiance is transferred.

In (1) the naturalization must be applied for, and obtained, and a foreign Law, conferring nationality upon a whole class of persons, without any express manifestation of their individual wills, would not be recognized by Belgian law, *e.g.*, a French Law of the 16th-29th December, 1874, attributes French nationality to any foreigner born in France of a foreign father who was himself born in France. The Belgian Court of Cassation, on the 12th June, 1876, decided that the provision in question cannot deprive Belgian citizens of the nationality which is theirs by descent, and consequently does not exempt them from military service in Belgium. This question has now been decided for the present in an opposite sense by Article IV of the Convention of the 30th July, 1891.*

With regard to (2), in the absence of a deliberate expression of the intention never to return, such intention may not be lightly presumed to exist. The burden of proof lies upon the person who alleges that a Belgian has in this way forfeited his nationality.

The Court of Appeal at Ghent, on the 5th December, 1877, decided that the mere fact of voting at elections, or balloting for the military service in a foreign country, does not necessarily involve the loss of Belgian nationality.

With regard to (3), the loss of nationality takes place even when the woman is a minor. But, on the other hand, change of nationality after marriage on the part of the husband or father does not entail a corresponding change on the part of the wife or of children born previously.

Nationality being an essentially personal right, no one can be deprived thereof by the will of others. (This principle is especially dwelt upon in the Report of the General Committee on the Naturalization Law of 1835: "Moniteur Belge" of the 29th August, 1835.)

Another cause for loss of nationality exists in the cession of territory, which involves the transfer of the allegiance of the persons who possess the nationality attached to the soil, in whatever way they may have acquired it, whether by birth or otherwise.

Of this an instance is afforded by the cession by Belgium of portions of the Provinces of Limburg and Luxemburg in 1839.

In this case the change of nationality is compulsory, and the law, by a general enactment, deprives an entire class of persons of their former nationality, and grants them a new one, without regard to their personal preferences.

Any provisions enabling the inhabitants of the ceded territories, under certain conditions, to retain their old nationality, are a matter of favour.

The various Laws passed in Belgium for the relief of the inhabitants of the surrendered portions of Limburg and Luxemburg will be found in Inclosure 3 (Nos. 3, 5, 6, 7, and 8).

As a general rule the ordinary Tribunals have jurisdiction in Belgium over questions of disputed nationality, so far as it constitutes a civil right, for Article 92 of the Belgian Constitution assigns to the Tribunals the sole jurisdiction over questions arising with regard to civil rights.

But Belgian nationality also constitutes a political right, and questions affecting this may, under Article 93 of the Constitution, be submitted to special jurisdictions. This is particularly the case in regard to rights of suffrage and liability to military service. The jurisdictions established to determine electoral or conscription cases may incidentally have to decide questions of nationality. But such particular decisions are authoritative only within their special province, so that a judgment by which a person is admitted as a Belgian to be placed on the list of electors is entirely without effect in a civil case, or one affecting military service. ("La jurisprudence est constante sur ce point," *i.e.*, the views of all the Courts are identical on this point.)

Children born in lawful wedlock of Belgian parents follow the condition of their parents.

Where the parents are of different nationalities, the child follows that of the father.

If, however, the father has no nationality (*e.g.*, if he has lost his nationality of origin by settling abroad "sans esprit de retour," and has omitted to acquire a fresh national character), then the child follows the nationality of the mother.

The child born after its father has obtained ordinary naturalization in Belgium is Belgian born, and as such possesses all the rights belonging to nationality. (Court of Cassation, 28th March, 1876.)

With regard to illegitimate children, the child recognized by one parent only follows the nationality of that parent.

The child recognized by both parents is generally considered to follow the nationality of its father, even where that of the mother is different. (Ghent Court of Appeal, 27th September, 1861.)

When the illegitimate child is recognized by both parents, or by the mother alone, at the time of birth, or previously, the general opinion is that he may date his national character from the moment of birth, or that of conception, in the same manner as a legitimate child.

When, however, the recognition only takes place subsequently to the child's birth, then the date of recognition fixes the nationality of the child.

When the parents have not recognized the child, but its mother is known, it is usually held to follow the nationality of the mother.

Under the Law of the 15th August, 1881, children born in Belgium of parents legally unknown are held to be Belgians.

Article 9 of the Civil Code entitles the child of a foreigner born in Belgium to acquire Belgian nationality during the year following his majority.

To do this, he must expressly declare his wish to become a Belgian; and also if

residing in Belgium, he must declare his intention of settling his domicile in the country; and if residing abroad, he must declare his intention of fixing his domicile in Belgium, and settle it there within the year, counting from his majority.

The Belgian Court of Cassation has decided (6th and 19th February, 1878) that the majority in question is 21 years of age, in accordance with Belgian law.

According to a Ministerial Circular of the 8th June, 1836, the declaration was to be made before the Communal authority which had drawn up the birth certificate of the person claiming Belgian nationality; but a later Circular of the 14th March, 1844, has directed that the declaration should be made before the authorities of the Commune in which the declarant has established or is about to establish his domicile.

The declaration of Belgian nationality above referred to is null and void unless it expressly states the maker's intention to fix his domicile in Belgium. (Court of Cassation, 12th February, 1872.)

The declaration has no retroactive effect, and only confers Belgian nationality on the declarant for the future (Courts of Appeal of Ghent, 28th February, 1875; and Brussels, 28th January, 1873). The contrary view has, however, its supporters, and has been adopted by the French Court of Cassation in its decision of the 19th July, 1848.

In Article 10 of the Civil Code, the word "toujours" is not to be interpreted as meaning "before his majority," but "even after the expiration of a year from the date of his majority."

The Belgian Court of Cassation has decided (24th February, 1874) that the child born abroad of a foreign father and a Belgian-born mother, who lost her nationality by her marriage, cannot claim the benefits of Article 10 of the Civil Code, but follows his father's nationality. The Law of the 22nd September, 1835, placed the persons to whom it applied on a level with native-born Belgians. Consequently, as soon as they had complied with the formalities mentioned in its Article 2, they were in the same position as though they had never had any other nationality, and their children, even though born before their fathers had made the required declaration, were as Belgians by descent, without regard to the place of their birth. (Court of Cassation, 15th June, 1865, and 13th May, 1876.)

No. 2 of Article 1 of the same Law is also an exception to the general rule by which, on the partition of a State, the nationality of its inhabitants is determined by their place of origin.

Belgian law assigns to the legislative body the duty of considering applications for naturalization. (Constitution, Article 5.)

It has further created a distinction between great naturalization, which confers upon the person admitted to it full equality with native-born Belgians in regard to political as well as civil rights, and ordinary naturalization, in which the political rights are limited to voting in provincial and communal elections.

Persons who have only obtained ordinary naturalization cannot be elected to the Senate or Chamber of Representatives (Constitution, Articles 50 and 56); they cannot accept office as Cabinet Ministers (Constitution, Article 86); they are disqualified for voting in elections for the National Legislature; they cannot sit on juries.

Article 2 of the Naturalization Law of the 27th September, 1835, practically limited great naturalization to those foreigners who could claim to have rendered eminent services to the Belgian State; but the Laws of the 20th May, 1845, 5th June, 1850, and 30th December, 1853, in succession, introduced exceptions to this rule in favour of the inhabitants of Limburg and Luxemburg who desired to remain Belgians.

The Law of the 6th August, 1881, has been substituted for the general provisions of the Law of 1835; but a comparison of the two texts will show that, apart from the clauses dealing with great naturalization, the differences consist mainly in slight verbal changes.

The Law of 1881 (Article 2) makes the conditions for obtaining great naturalization:—

1. That the petitioner should be at least 25 years of age.
2. That he should be married, or, if a widower, that he should have one or more children.
3. That he should have resided in Belgium for a period of ten years.

This period is reduced to five years in the case of the husbands of Belgian-born women or their widowers with children.

Bachelors and childless widowers are not admitted to great naturalization before the age of 50, and after fifteen years' residence in Belgium.

The Law of the 16th July, 1889, extends the provisions of Article 9 of the Civil

Code, and Article 4 of the Law of the 6th August, respecting declarations of intention to acquire Belgian nationality, to minors over 18 years of age, subject to the expressed consent of their parents or guardians.

Finally, the Law of the 30th December, 1891, approves the Convention concluded on the 30th July of the same year between Belgium and France to put an end to the various conflicts resulting from the application of the Laws regulating military service in the two countries.

The above observations have, for the most part, been taken from an article in the "Revue de l'Administration et du Droit Administratif de la Belgique," reprinted as a separate pamphlet at Liège in 1879, under the title of "Législation concernant la qualité de Belge."

In his note of the 25th ultimo Count de Mérode Westerloo gives the following list of works dealing with the Belgian Laws respecting nationality and naturalization, and the decisions or Regulations affecting their interpretation:—

1. J. Laurent, "Principes du Droit Civil," 1869 (see vol. i, pp. 419 and following).
2. Lucien Jamar, "Répertoire de la Jurisprudence Belge" (see under headings of "Élections," "Gardes Civiques," and "Belges").
3. Camille Scheyven, "Recueil du Droit Électoral."
4. "Pandectes Belges" (see under headings of "Belges," "Élections," "Garde Civique," and "Annexion").

Inclosure 2, transmitted herewith, contains the texts and translations of the general Laws in force in Belgium on the subject of nationality and naturalization; while Inclosure 3 contains the texts and translations of those special or transitory measures which have been referred to in the preceding remarks.

(Signed)

C. F. F. ADAM.

Brussels, February 24, 1893.

Inclosure 2 in No. 2.

General Laws in force in Belgium on Nationality and Naturalization.

1. "Code Civil," Articles 9, 10, 12, 17-20.
2. Belgian Constitution, Articles 4, 5, and 133.
3. Law of 27th September, 1835, Articles 14, 15, and 16.
4. Law of 21st June, 1865.
5. Law of 6th August, 1881.
6. Law of 7th August, 1881.
7. Law of 15th August, 1881.
8. Law of 16th July, 1889.
9. Law of 30th December, 1891.

No. 1.—Code Civil.

ARTICLE 9. Tout individu né en France* d'un étranger pourra, dans l'année qui suivra l'époque de sa majorité, réclamer la qualité de Français; pourvu que, dans le cas où il résiderait en France, il déclare que son intention est d'y fixer son domicile, et que, dans le cas où il résiderait en pays étranger, il fasse sa soumission de fixer en France son domicile, et qu'il l'y établisse dans l'année, à compter de l'acte de soumission.†

Article 10. Tout enfant né d'un Français en pays étranger est Français.

Tout enfant né en pays étranger, d'un Français qui aurait perdu la qualité de Français, pourra toujours recouvrer cette qualité en remplissant les formalités prescrites par l'Article 9.

* * * * *

Article 12. L'étrangère qui aura épousé un Français suivra la condition de son mari.

* * * * *

Article 17. La qualité de Français se perdra:—

1. Par la naturalisation acquise en pays étranger.
2. (Abrogé par la Loi du 21 Juin, 1865.)
3. Enfin, par tout établissement fait en pays étranger sans esprit de retour.

* In applying the provisions of the "Code Civil" in Belgium, the words "Belgique" and "Belge" should be substituted for "France" and "Français."

† Voyez ci-dessous, l'Article 1^{er} de la Loi du 16 Juillet, 1889.

Les établissements de commerce ne pourront jamais être considérés comme ayant été faits sans esprit de retour.

Article 18. Le Français qui aura perdu sa qualité de Français pourra toujours la recouvrer en rentrant en France avec l'autorisation de l'Empereur, et en déclarant qu'il veut s'y fixer, et qu'il renonce à toute distinction contraire à la loi Française.

Article 19. Une femme Française qui épousera un étranger, suivra la condition de son mari.

Si elle devient veuve, elle recouvrera la qualité de Française, pourvu qu'elle réside en France, ou qu'elle y rentre avec l'autorisation de l'Empereur, et en déclarant qu'elle veut s'y fixer.

Article 20. Les individus qui recouvreront la qualité de Français dans les cas prévus par les Articles 10, 18, et 19, ne pourront s'en prévaloir qu'après avoir rempli les conditions qui leur sont imposées par ces Articles, et seulement pour l'exercice des droits ouverts à leur profit depuis cette époque.

Article 21. (Abrogé par la Loi du 21 Juin, 1865.)

Note.—The wording of the repealed No. 2 of Article 17 was as follows:—

"1. Par l'acceptation, non autorisée par l'Empereur, de fonctions publiques conférées par un Gouvernement étranger."

That of Article 21 was:—

"Le Français qui, sans l'autorisation de l'Empereur, prendrait du service militaire chez l'étranger, ou s'affilierait à une corporation militaire étrangère, perdra sa qualité de Français.

"Il ne pourra rentrer en France qu'avec la permission de l'Empereur, et recouvrer la qualité de Français qu'en remplissant les conditions imposées à l'étranger pour devenir citoyen; le tout sans préjudice des peines prononcées par la loi criminelle contre les Français qui ont porté ou porteront les armes contre leur patrie."

(Translation.)

Civil Code.

Article 9. Every person born in France of a foreigner may, during the year following the period of his coming of age, claim French nationality, provided that, in the event of his residing in France, he shall declare that it is his intention to establish his domicile there; and that, in the event of his residing in a foreign country, he shall bind himself to establish his domicile in France, and settle it there within the year, counting from the date of his binding himself.*

Article 10. Every child born of a Frenchman in a foreign country is French.

Every child born in a foreign country of a Frenchman who may have lost his French nationality shall always be able to recover that nationality by complying with the formalities laid down in Article 9.

* * * * *

Article 12. The foreign woman who shall have married a Frenchman shall follow the condition of her husband.

* * * * *

Article 17. French nationality shall be lost:—

1. By naturalization acquired in a foreign country.

2. (Repealed by the Law of the 21st June, 1865.)

3. Finally, by any settlement made in a foreign country without any purpose of returning home.

Settlements for purposes of trade shall never be liable to be considered as having been made without any purpose of returning home.

Article 18. A Frenchman who shall have lost his French nationality may always recover it by re-entering France with the Emperor's licence, and by declaring that he wishes to settle there, and that he renounces any honorary rank or title ("distinction") contrary to French law.

Article 19. A Frenchwoman who marries a foreigner shall follow the condition of her husband.

Should she become a widow she shall recover her French nationality provided that she resides in France, or that she returns thither with the Emperor's licence, and declares her intention of settling there.

Article 20. Those persons who shall recover French nationality under the circum-

* See below: Article 1 of the Law of July 16, 1889.

stances provided for by Articles 10, 18, and 19 can only avail themselves thereof after complying with the conditions imposed on them by the said Articles, and merely for the exercise of those rights which have been open to their enjoyment since that date.

Article 21. (Repealed by the Law of the 21st June, 1865.)

No. 2.—*Constitution.*

Article 4. La qualité de Belge s'acquiert, se conserve, et se perd d'après les règles déterminées par la Loi Civile. La présente Constitution et les autres Lois relatives aux droits politiques, déterminent quelles sont, outre cette qualité, les conditions nécessaires pour l'exercice de ces droits.

Article 5. La naturalisation est accordée par le Pouvoir Législatif.

La grande naturalisation seule assimile l'étranger au Belge, pour l'exercice des droits politiques.

* * * * *

Article 133. Les étrangers établis en Belgique avant le 1^{er} Janvier, 1814, et qui ont continué d'y être domiciliés, sont considérés comme Belges de naissance, à la condition de déclarer que leur intention est de jouir du bénéfice de la présente disposition.

La déclaration devra être faite dans les six mois, à compter du jour où la présente Constitution sera obligatoire, s'ils sont majeurs, et dans l'année qui suivra leur majorité, s'ils sont mineurs.

Cette déclaration aura lieu devant l'autorité provinciale de laquelle ressortit le lieu où ils ont leur domicile.

Elle sera faite en personne ou par un mandataire, porteur d'une procuration spéciale et authentique.

(Translation.)

Constitution.

Belgian nationality is acquired, preserved, and lost in accordance with the rules laid down by the civil law. The present Constitution, and the other Laws relating to political rights, determine what are, besides the said nationality, the necessary conditions for the exercise of such rights.

Article 5. Naturalization is granted by the Legislative Power.

Great naturalization alone places a foreigner on a level with a Belgian for the exercise of political rights.

* * * * *

Article 133. Foreigners settled in Belgium previously to the 1st January, 1814, and who have continued to be domiciled there, shall be considered as Belgians born, provided they declare that it is their intention to avail themselves of the benefits of the present provision.

The declaration must be made within six months, counting from the date at which the present Constitution shall come into force, if they are of age, and within the year following their coming of age, if they are minors.

This declaration shall be made before the provincial authority within whose jurisdiction the place where they have their domicile is situated.

It shall be made in person, or through a representative furnished with a special and authentic* power of attorney.

No. 3.—*Loi du 27 Septembre, 1835, sur la Naturalisation.*

(Articles 1 to 13 are repealed by Article 12 of the Naturalization Law of the 6th August, 1881.)

Dispositions Transitoires.

Article 14. Seront réputés Belges, les individus qui, à l'époque du 20 Novembre, 1815, étaient domiciliés depuis dix ans accomplis dans les communes détachées de la France et réunies au Royaume des Pays-Bas, en conséquence du Traité de Paris du dit jour, 20 Novembre, 1815, autres que celles ayant fait partie des neuf départements réunis, à la

* A document, to be "authentic" must be passed before a notary public.

charge par eux de faire, dans le délai d'un an, la déclaration mentionnée à l'Article 10, et pourvu qu'ils aient continué de résider en Belgique.

Art. 15. Les étrangers qui ont obtenu l'indigénat ou la naturalisation sous le Gouvernement des Pays-Bas, ne jouiront en Belgique des droits que ces actes leur ont conférés, qu'autant qu'ils y étaient domiciliés au 1^{er} Décembre, 1830, et qu'ils y ont depuis lors conservé leur domicile.

Art. 16. Les étrangers qui, dans le cas prévu par l'Article 133 de la Constitution, n'ont pas fait la déclaration prescrite par cet Article, pourront obtenir du Pouvoir Législatif la grande naturalisation, en justifiant que, par des circonstances indépendantes de leur volonté, ils ont été empêchés de faire cette déclaration dans le terme prescrit.

(Translation.)

Law of September 27, 1835, respecting Naturalisation.

* * * * *

Temporary Provisions.

Article 14. Those persons who, on the 20th November, 1815, had been domiciled for ten full years in those communes which were separated from France and annexed to the Kingdom of the Netherlands in consequence of the Treaty of Paris of that date, 20th November, 1815, other than those communes which had formed part of the nine departments annexed, shall be considered to be Belgians, on condition of their making, within the term of one year, the declaration mentioned in Article 10, and provided that they shall have continued to reside in Belgium.

Art. 15. Foreigners who have acquired nationality or naturalization under the Government of the Netherlands shall enjoy in Belgium those rights which the acts in question secured to them only in case they had their domicile in Belgium on the 1st December, 1830, and have since then maintained their domicile there.

Art. 16. Those foreigners who, in the conditions laid down by Article 133 of the Constitution, have failed to make the declaration required by that Article, may obtain great naturalization from the Legislative Power, on furnishing evidence that they have been prevented, by circumstances independent of their own will, from making the said declaration within the prescribed limit of time.

No. 4.—*Loi du 21 Juin, 1865, qui Abroge le No. 2 de l'Article 17, et l'Article 21 du Code Civil.*

Article 1. Sont abrogés :—

1. Le No. 2 de l'Article 17 du Code Civil ;
2. L'Article 21 du même Code.

Art. 2. Les individus qui auraient perdu la qualité de Belge en vertu des dispositions abrogées par l'Article précédent, la recouvreront de plein droit à partir de la mise en vigueur de la présente Loi, mais ils ne pourront s'en prévaloir que pour l'exercice des droits ouverts à leur profit depuis cette époque.

Art. 3. La présente Loi sera obligatoire le lendemain de sa publication.

(Translation.)

Law of June 21, 1865, repealing No. 2 of Article 17 of the Civil Code, and Article 21 of the same.

Article 1. Hereby are repealed :—

1. No. 2 of Article 17 of the Civil Code ;
2. Article 21 of the same Code.

Art. 2. Those persons who may have been deprived of Belgian nationality through the provisions repealed by the preceding Article, shall recover it, of full right, from the date when the present Law comes into force, but they shall only be allowed to avail themselves thereof for the exercise of rights open to them since that date.

Art. 3. The present Law shall come into force on the day following its publication.

Nos. 5 and 6.—*Extraits du "Moniteur Belge" du 9 Août, 1881.*

MINISTÈRE DE LA JUSTICE.

*Loi sur la Naturalisation.**

Léopold II, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :—

Article 1^{er}. La naturalisation ordinaire confère à l'étranger tous les droits civils et politiques attachés à la qualité de Belge, à l'exception des droits politiques pour l'exercice desquels la Constitution ou les lois exigent la grande naturalisation.

Art. 2. Pour pouvoir obtenir la grande naturalisation, il faut :—

1. Être âgé de 25 ans accomplis ;
2. Être marié, ou avoir retenu un ou plusieurs enfants de son mariage ;
3. Avoir résidé en Belgique pendant dix ans au moins.

Ce délai sera de cinq ans, au lieu de dix, pour l'étranger qui a épousé une Belge ou qui a retenu de son mariage avec une Belge un ou plusieurs enfants.

La grande naturalisation ne pourra être accordée aux étrangers non mariés, ou veufs sans enfant, que lorsqu'ils auront atteint l'âge de 50 ans et qu'ils auront quinze ans de résidence dans le pays.

Elle pourra être conférée également, sans autre condition, pour services éminents rendus à l'État.

Les étrangers habitant le Royaume, nés en Belgique, qui auraient négligé de faire la déclaration prescrite par l'Article 9 du Code Civil, sont recevables à demander la grande naturalisation, sans remplir les conditions prescrites aux §§ 1, 2, et 3 du présent Article.

Art. 3. La naturalisation ordinaire, hors le cas prévu par l'Article 4 ne sera accordée qu'à ceux qui auront accompli leur 21^e année, et qui auront résidé pendant cinq ans en Belgique.

Art. 4. La naturalisation du père assure à ses enfants mineurs la faculté de jouir du même avantage, pourvu qu'ils déclarent dans l'année de leur majorité, devant l'autorité Communale du lieu où ils ont leur domicile ou leur résidence, conformément à l'Article 8, que leur intention est de jouir du bénéfice de la présente disposition.†

Les enfants et descendants majeurs de celui qui a obtenu la naturalisation peuvent obtenir la même faveur sans être astreints aux conditions requises par les Articles 2 et 3 de la présente Loi.

Si le père est décédé, la naturalisation de la mère assure à ses enfants ou descendants les avantages énoncés au présent Article.

Art. 5. Nul n'est admis à la naturalisation qu'autant qu'il en ait formé la demande par écrit.

La demande devra être signée par la personne qui la forme ou par son fondé de procuration spéciale et authentique. Dans ce dernier cas, la procuration sera jointe à la demande.

Art. 6. Toute demande en naturalisation, ainsi que toute proposition du Gouvernement ayant le même objet, sera envoyée, par chaque Chambre, à une Commission qui présentera l'analyse de la demande et des pièces y annexées.

Sur le rapport de la Commission, chaque Chambre décidera, sans discussion et au scrutin secret, s'il y a lieu de prendre en considération les demandes ou les propositions. Si la demande est prise en considération, il sera immédiatement procédé à la discussion et au vote publics.

* Session de 1880-1881 :

Chambre des Représentants.

Documents Parlementaires.—Exposé des Motifs et texte du Projet de Loi. Séance du 5 Mai, 1881, pp. 165-166. Rapport. Séance du 2 Juin, pp. 201-204.

Annales Parlementaires.—Discussion. Séances des 14 Juin, 1881, pp. 1304-1312 ; 15 Juin, pp. 1313-1326 ; 16 Juin, pp. 1328-1343 ; et 17 Juin, pp. 1344-1354. Adoption. Séance du 17 Juin, p. 1354.

Sénat.

Documents Parlementaires.—Rapport. Séance du 21 Juin, 1881, p. 18.

Annales Parlementaires.—Discussion. Séances des 23 Juin, 1881, pp. 357-358, et 24 Juin, pp. 363-369. Adoption. Séance du 24 Juin, p. 369.

† See Article 2 of Law of July 16, 1889, for additional provision.

Art. 7. Dans les huit jours qui suivront la sanction Royale du vote des Chambres admettant la demande, le Ministre de la Justice délivrera à l'impétrant une expédition certifiée conforme de l'acte de naturalisation.

Art. 8. L'impétrant, muni de cette expédition, se présentera devant le Bourgmestre du lieu de son domicile ou de sa résidence et déclarera qu'il accepte la naturalisation qui lui est conférée.

Il sera immédiatement dressé procès-verbal de cette déclaration dans un registre à ce destiné.

Art. 9. La déclaration prescrite par l'Article précédent sera faite, sous peine de déchéance, dans les deux mois à compter de la date de la sanction Royale.

Art. 10. L'autorité Communale enverra dans les huit jours au Ministre de la Justice une expédition dûment certifiée de l'acte d'acceptation.

Art. 11. L'acte de naturalisation ne sera inséré au "Moniteur" que sur le vu de cette expédition, dont la date sera également insérée au "Moniteur."

Art. 12. La Loi du 27 Septembre, 1835, est abrogée,* à l'exception des Articles 14, 15, et 16.

Disposition Spéciale.

L'individu né en Belgique d'un étranger qui aura négligé de faire devant l'autorité compétente, dans l'année qui a suivi l'époque de sa majorité, la déclaration prescrite par l'Article 9 du Code Civil ou qui aura fait une déclaration nulle ou insuffisante sera, s'il a satisfait en Belgique aux obligations de la Loi de Milice, admis à faire encore sa déclaration dans le délai de deux ans, à compter du jour de la publication de la présente loi.

L'Article 4 de la Loi du 1^{er} Avril, 1879, lui sera applicable ainsi qu'à ses enfants et descendants.

Promulguons la présente Loi, ordonnons qu'elle soit revêtue du sceau de l'État et publiée par la voie du "Moniteur."

Donné à Laeken, le 6 Août, 1881.

(Signé)

LÉOPOLD

Par le Roi :

Le Ministre de la Justice,

(Signé) JULES BARA.

Scellé du sceau de l'État :

Le Ministre de la Justice,

(Signé) JULES BARA.

Note to Article 12 of Naturalization Law of 1881.

Text of Repealed Articles of Naturalization Law of September 27, 1835.

Loi du 27 Septembre, 1835, sur la Naturalisation.

Article 1^{er}. La naturalisation ordinaire confère à l'étranger tous les droits civils et politiques attachés à la qualité de Belge, à l'exception des droits politiques pour l'exercice desquels la Constitution ou les lois exigent la grande naturalisation.

Art. 2. La grande naturalisation ne peut être accordée que pour des services éminents rendus à l'État.

Le Belge qui aura perdu sa qualité de Belge, aux termes de l'Article 21 du Code Civil, est recevable à demander la grande naturalisation sans qu'il soit besoin de justifier qu'il ait rendu des services éminents à l'État.

Il en sera de même des individus habitant le royaume, nés en Belgique de parents y domiciliés qui auraient négligé de faire la déclaration prescrite par l'Article 9 du Code Civil.

Sont exceptés du bénéfice des dispositions qui précèdent, ceux qui sont restés après le 1^{er} Août, 1831, au service militaire d'une Puissance en guerre avec la Belgique.

Art. 3. La grande naturalisation sera toujours l'objet d'une disposition spéciale, hors le cas prévu par l'Article 4.

* See text of repealed Articles below.

L'admission de plusieurs étrangers à la naturalisation ordinaire pourra être prononcée par une seule disposition.

Art. 4. La naturalisation du père assure à ses enfants mineurs la faculté de jouir du même avantage, pourvu qu'ils déclarent, dans l'année de leur majorité, devant l'autorité communale du lieu où ils ont leur domicile ou leur résidence, conformément à l'Article 10, que leur intention est de jouir du bénéfice de la présente disposition.

Si les enfants et descendants sont majeurs, ils pourront, dans le cas où leur père obtiendrait la grande naturalisation, obtenir la même faveur pour services éminents rendus à l'État, par leur père.

Art. 5. La naturalisation ordinaire, hors le cas prévu par l'Article précédent, ne sera accordée qu'à ceux qui auront accompli leur 21^e année et qui auront résidé pendant cinq ans en Belgique.

Art. 6. Nul n'est admis à la naturalisation qu'autant qu'il en ait formé la demande par écrit.

La demande devra être signée par la personne qui la forme ou par son fondé de procuration spéciale et authentique.

Dans ce dernier cas, la procuration sera jointe à la demande.

Art. 7. Toute demande en naturalisation, ainsi que toute proposition du Gouvernement ayant le même objet, sera renvoyée, par chaque Chambre, à une Commission, qui présentera l'analyse de la demande et des pièces y annexées.

Sur le rapport de cette Commission, la Chambre décidera, sans discussion et au scrutin secret, s'il y a lieu de prendre en considération la demande ou la proposition.

Art. 8. Il est donné avis à l'autre Chambre de cette décision. La demande ou la proposition, avec les pièces jointes, lui est transmise pour y subir la même épreuve.

Il n'est donné aucune suite à la demande ou à la proposition qu'autant qu'elle aura été prise en considération dans les deux Chambres.

Art. 9. Dans les huit jours qui suivront la sanction Royale de la disposition mentionnée à l'Article 3, le Ministre de la Justice délivrera à l'impétrant une expédition certifiée de l'acte de naturalisation.

Art 10. L'impétrant, muni de cette expédition, se présentera devant le bourgmestre du lieu de son domicile ou de sa résidence et déclarera qu'il accepte la naturalisation qui lui est conférée.

Il sera immédiatement dressé procès-verbal de cette déclaration dans un registre à ce destiné.

Art. 11. La déclaration prescrite par l'Article précédent sera faite, sous peine de déchéance, dans les deux mois à compter de la date de la sanction Royale.

Art. 12. L'autorité municipale enverra dans les huit jours, au Ministre de la Justice, une expédition dûment certifiée de l'acte d'acceptation.

Art. 13. L'acte de naturalisation ne sera inséré au "Bulletin Officiel" que sur le vu de cette expédition, dont la date sera également insérée au "Bulletin."

MINISTÈRE DES FINANCES.

*Loi réduisant le Taux d'Enregistrement établi sur les Actes de Naturalisation.**

Léopold II, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :

Article 1^{er}. La naturalisation ordinaire est assujettie à un droit d'enregistrement de 250 fr. (sans additionnels).

La grande naturalisation est assujettie à un droit de 500 fr. (sans additionnels).

* Session de 1880-1881 :

Chambre des Représentants.

Documents Parlementaires.—Exposé des Motifs et texte du Projet de Loi. Séance du 31 Mai, 1881, pp. 196-197. Rapport. Séance du 2 Juin, pp. 201-204.

Annales Parlementaires.—Discussion et adoption. Séance du 17 Juin, 1881, pp. 1354-1358.

Sénat.

Documents Parlementaires.—Séance du 21 Juin, 1881, p. 19.

Annales Parlementaires.—Discussion et adoption. Séance du 24 Juin, 1881, p. 370.

Toutefois sont maintenues les exemptions établies par la législation actuelle en faveur :—

1. Des individus naturalisés pour services éminents rendus à l'État ;
2. Des décorés de la Croix de Fer et de ceux qui ont pris une part aux combats de la révolution ;
3. Des militaires en activité de service au 15 Février, 1884 ;
4. Des habitants des parties cédées du Limbourg et du Luxembourg, nés avant l'époque du 4 Juin, 1839, qui auraient omis de faire, en temps opportun, la déclaration voulue pour rester Belges.

Art. 2. Le droit d'enregistrement de la grande naturalisation est réduit à 250 fr. lorsque celui qui en est tenu a précédemment acquitté le montant du droit établi sur la naturalisation ordinaire.

Art 3. Dans le cas où le droit est exigé, la déclaration prescrite par l'Article 8 de la Loi du 6 Août, 1881, ne sera acceptée que sur la production de la quittance de ce droit délivrée par le receveur de l'enregistrement.

Promulguons la présente Loi, ordonnons qu'elle soit revêtue du sceau de l'État et publiée par la voie du "Moniteur."

Donné à Bruxelles, le 7 Août, 1881.

(Signé) LÉOPOLD.

Par le Roi :
Le Ministre des Finances,
(Signé) CHARLES GRAUX.
Vu et scellé du sceau de l'État ;
Le Ministre de la Justice,
(Signé) JULES BARA.

(Translation.)

Extracts from the "Moniteur Belge" of August 9, 1881.

MINISTRY OF JUSTICE.

Law on Naturalization.

Leopold II, King of the Belgians, to all present and to come, greeting.

The Chambers have adopted and we sanction the following :—

Article 1. Ordinary naturalization confers upon a foreigner all civil and political rights attached to Belgian nationality, with the exception of those political rights for the exercise of which the Constitution or the laws require great naturalization.

Art. 2. To be entitled to obtain great naturalization it is necessary :—

1. To have attained the age of 25 years complete ;
2. To be married, or to have one or more children living, born in wedlock ;
3. To have resided in Belgium for a period of ten years at least.

This period shall be five years instead of ten in the case of a foreigner who has married a Belgian woman, or who has one or more children living, born of his marriage with a Belgian woman.

Great naturalization cannot be granted to foreigners who are unmarried, or childless widowers, until they shall have reached the age of 50 years, and have resided in the country fifteen years.

It may likewise be conferred, without any other conditions, on account of eminent services rendered to the State.

Those foreigners residing in the kingdom, and born in Belgium, who may have neglected to make the declaration required by Article 9 of the Civil Code, are entitled to apply for great naturalization without fulfilling the conditions laid down in paragraphs 1, 2, and 3 of the present Article.

Art. 3. Except in the case provided for by Article 4, ordinary naturalization shall only be granted to those persons who have completed their 21st year, and who have resided in Belgium for a period of five years.

Art. 4. A father's naturalization secures to his children who are minors the opportunity of enjoying the same privilege, provided that they declare, within a year after their coming of age, before the Communal authorities of the place where they

have their domicile or their residence, in accordance with the provisions of Article 8, that it is their intention to avail themselves of the benefit of the present provision.

(See Article 2 of the Law of the 16th July, 1889.)

Children and descendants of full age of a person who has obtained his naturalization may be admitted to the same privilege, without being bound to comply with the conditions laid down by Articles 2 and 3 of the present Law.

If the father be deceased, the mother's naturalization shall secure to her children or descendants the advantages mentioned in the present Article.

Art. 5. No one shall be admitted to naturalization unless he has made application therefor in writing.

The application must be signed by the person making it, or by his representative duly appointed by special and authentic* power of attorney. In this latter case the power of attorney must be appended to the application.

Art. 6. Every application for naturalization, as well as every proposal of the Government having the same object, shall be referred, by each Chamber, to a Commission which shall present a summary of the application and the documents appended thereto.

Upon the report of the Commission, each Chamber shall decide without debate, and by secret ballot, whether there is sufficient ground for taking the applications or proposals into consideration. If the application be taken into consideration, its public discussion and vote shall at once be proceeded with.

Art. 7. Within the eight days following the Royal assent to the vote of the Chambers admitting the application, the Minister of Justice shall deliver to the applicant a duly certified copy of the act of naturalization.

Art. 8. The applicant, furnished with the said copy, shall present himself before the Burgomaster of the place of his domicile or of his residence, and shall declare that he accepts the naturalization granted to him.

A report of the said declaration shall at once be entered in a register kept for the purpose.

Art. 9. The declaration required by the preceding Article shall be made, under pain of its invalidation, within two months, counting from the date of the Royal assent.

Art. 10. The Communal authority shall, within eight days, transmit to the Minister of Justice a duly certified copy of the deed of acceptance.

Art. 11. The deed of naturalization shall only be published in the "Moniteur" upon the receipt of the said copy, the date of which shall likewise be published in the "Moniteur."

Art. 12. The Law of the 27th September, 1835, is hereby repealed, with the exception of Articles 14, 15, and 16.

Special Provision.

Any person born in Belgium of a foreign father, who shall have neglected to make, before the competent authority, within the year following the date of his coming of age, the declaration required by Article 9 of the Civil Code, or who shall have made an invalid or insufficient declaration, shall, if he have complied in Belgium with the requirements of the Military Service Law, be still admitted to make his declaration within a term of two years, counted from the date of publication of the present Law.

Article 4 of the Law of the 1st April, 1879, shall be applicable to him, as also to his children and descendants.

We promulgate the present Law, and order it to be sealed with the State seal, and published through the "Moniteur."

Given at Laeken, the 6th day of August, 1881.

(Signed) LEOPOLD.

By the King:

The Minister of Justice,

(Signed) JULES BARA.

* i.e., passed before a notary public.

MINISTRY OF FINANCE.

Law reducing the existing Registration Fee on Deeds of Naturalization.

Leopold II, King of the Belgians, &c.

Article 1. Ordinary naturalization is made subject to a registration fee of 250 fr. (without any supplements).

Great naturalization is made subject to a fee of 500 fr. (without any supplements).

The exemptions established by existing legislation are, however, maintained in favour of:—

1. Persons naturalized for eminent services rendered to the State.

2. Persons who have received the "Croix de Fer," and those who took part in the battles of the revolution.

3. Military men who were in active service on the 15th February, 1844.

4. Inhabitants of the ceded portions of Limburg and Luxemburg, who were born previously to the 4th June, 1839, who may have omitted to make at the proper time the declaration necessary to enable them to remain Belgians.

Art. 2. The registration fee for great naturalization is reduced to 250 fr. when the person liable thereto has previously paid the amount of the fee charged for ordinary naturalization.

Art. 3. In cases where the fee is charged, the declaration required by Article 8 of the Law of the 6th August, 1881, will only be accepted upon production of the receipt for the fee delivered by the receiving clerk of the registration office.

We promulgate, &c.

Given at Brussels, the 7th August, 1881.

(Signed) LEOPOLD.

By the King:
The Minister of Finance,
(Signed) CHARLES GRAUX.

No. 7.—*Loi du 15 Août, 1881, accordant la qualité de Belge aux Enfants nés en Belgique de Parents légalement inconnus.*

Article Unique.—Il est décidé, en vertu du droit d'interprétation que l'Article 28 de la Constitution accorde au Pouvoir Législatif, que les enfants nés en Belgique, de parents légalement inconnus, sont réputés Belges.

(Translation.)

Law of August 15, 1881, conferring Belgian Nationality on Children born in Belgium of Parents legally unknown.

Sole Article.—It is hereby decided, in virtue of the right of interpretation which Article 28 of the Constitution confers upon the Legislative Power, that children born in Belgium, of parents legally unknown, are considered to be Belgians.

No. 8.—*Extrait du "Moniteur Belge" du 16-17 Août, 1889, Nos. 228-229.*

MINISTÈRE DE LA JUSTICE.

*Modifications à l'Article 9 du Code Civil et à l'Article 4 de la Loi du 6 Août, 1881, sur la Naturalisation.**

Léopold II, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :—

"Article 1^{er}. Les paragraphes suivants sont ajoutés à l'Article 9 du Code Civil :

"La déclaration pourra être faite dès l'âge de 18 ans accomplis, avec le consentement du père, ou, à défaut de père, avec celui de la mère, ou à défaut de père et mère, avec l'autorisation des autres ascendants ou de la famille, donnée suivant les conditions prescrites pour le mariage au Chapitre 1^{er} du titre 5 du livre 1^{er}.

"Le consentement du père ou de la mère, de même que celui des autres ascendants, sera donné soit verbalement lors de la déclaration, soit par acte authentique.

"Mention expresse de ce consentement ou de l'autorisation de la famille sera faite dans l'acte dressé pour constater l'option.

"Art. 2. Les paragraphes suivants sont intercalés dans l'Article 4 de la Loi du 6 Août, 1881, sur la naturalisation, dont ils formeront les alinéas 2, 3, et 4 :

"La déclaration pourra être faite dès l'âge de 18 ans accomplis, tant par les jeunes gens désignés ci-dessus que par ceux qui ont, en vertu de toute autre Loi en vigueur, le droit d'opter à leur majorité, pour la nationalité Belge, avec le consentement du père, ou, à défaut de père, avec celui de la mère, ou, à défaut de père et de mère, avec l'autorisation des autres ascendants ou de la famille, donnée suivant les conditions prescrites pour le mariage au Chapitre 1^{er} du titre 5 du livre 1^{er} du Code Civil.

"Le consentement du père ou de la mère, de même que celui des autres ascendants, sera donné soit verbalement lors de la déclaration, soit par acte authentique.

"Mention expresse de ce consentement ou de l'autorisation de la famille sera faite dans l'acte dressé pour constater l'option.

"Art. 3. En cas d'indigence, l'acte de consentement prescrit par les Articles 1^{er} et 2 pourra être reçu par l'officier de l'état civil du domicile des ascendants et, à l'étranger, par les autorités qui ont compétence pour recevoir cet acte, ainsi que par les Agents Diplomatiques, les Consuls, et les Vice-Consuls de Belgique.

"Art. 4. Le deuxième alinéa de l'Article 3 de la Loi du 6 Mai, 1888, relatif aux conditions d'admission à l'École Militaire, est remplacé par la disposition suivante :

"Cependant, les jeunes gens âgés de moins de 18 ans qui, d'après les lois en vigueur en Belgique, ont le droit d'opter à cet âge pour la nationalité Belge, seront également admis

* Session de 1887-1888 :

Sénat.

Annales Parlementaires.—Dépôt et développements de la proposition de loi, faits par M. de Brouckère et sa prise en considération. Séance du 13 Mars, 1888, pp. 107-111.

Documents Parlementaires.—Rapport. Séance du 24 Avril, 1888.

Annales Parlementaires.—Discussion et adoption. Séance du 3 Mai, 1888, pp. 368-371.

Session de 1888-1889 :

Chambre des Représentants.

Documents Parlementaires.—Rapport sur le Projet de Loi adopté par le Sénat. Séance du 23 Novembre 1888, pp. 35-36.

Annales Parlementaires.—Discussion. Séances des 7 Décembre, 1888, pp. 144-146, et 11 Décembre, pp. 148-150. Second vote et adoption. Séance du 12 Décembre, pp. 160-163.

Session de 1888-1889 :

Sénat.

Dépôt du Rapport. Séance du 18 Décembre, 1888, p. 12. Discussion et adoption du Projet de Loi amendé. Séance du 21 Décembre, pp. 38-43.

Session de 1888-1889 :

Chambre des Représentants.

Documents Parlementaires.—Rapport sur le Projet de Loi amendé par le Sénat. Séance du 1^{er} Mars, 1889, pp. 108-109.

Annales Parlementaires.—Discussion et adoption. Séance du 21 Mai, 1889, pp. 1197-1198.

au concours. Ils ne pourront, toutefois, obtenir leur passage en deuxième année d'études qu'après avoir fait leur déclaration d'option, dans les formes voulues par la loi."

Promulguons la présente Loi, ordonnons qu'elle soit revêtue du sceau de l'État et publiée par la voie du "Moniteur."

Donné à Laeken, le 16 Juillet, 1889.

(Signé) LÉOPOLD.

Par le Roi :
Le Ministre de la Justice,
(Signé) JULES LE JEUNE.
Scellé du sceau de l'État :
Le Ministre de la Justice,
(Signé) JULES LE JEUNE.

(Translation.)

Extract from the "Moniteur Belge" of August 16-17, 1889.

MINISTRY OF JUSTICE.

Amendments to Article 9 of the Civil Code, and to Article 4 of the Law of August 6, 1881, respecting Naturalization.

Leopold II, King of the Belgians, &c.

Article 1. The following paragraphs are added to Article 9 of the Civil Code :—

"The declaration may be made from the age of 18 years completed, with the consent of the father, or, failing the father, with that of the mother, or, failing both father and mother, with the authorization of the other ancestors, or of the family, given in accordance with the conditions laid down in the case of marriages in Chapter 1 of Title 5 of Book 1.

"The consent of the father or mother, as well as that of the other ancestors, shall be given either verbally, at the time of making the declaration, or by an authentic deed.

"Express mention of the said consent, or of the authorization given by the family, shall be made in the deed drawn up in proof of the act of option."

Article 2. The following clauses are inserted in Article 4 of the Law of the 6th August, 1881, respecting naturalization, of which they should form paragraphs 2, 3, and 4 :—

"The declaration may be made, from the age of 18 years completed, both by the young persons mentioned above, and by those who have, by virtue of any other Law in force, the right of option, upon their coming of age, in favour of Belgian nationality, with the consent of their father, or, failing the father, with that of their mother, or, failing both father or mother, with the authorization of the other ancestors, or of the family, given in accordance with the conditions laid down for the case of marriages in Chapter 1 of Title 5 of the First Book of the Civil Code.

"The consent of the father or mother, as also that of the other ancestors, shall be given either verbally, at the time of the declaration, or by an authentic deed.

"Express mention of the said consent, or of the authorization given by the family, shall be made in the deed drawn up to prove the act of option."

Article 3. In cases of indigence, the deed of consent required under Articles 1 and 2 may be received by the registration officer of the domicile of the parents or ancestors, and, if abroad, by the authorities competent to receive the said deed, as well as by the Diplomatic Agents, Consuls, and Vice-Consuls of Belgium.

Article 4. The second paragraph of Article 3 of the Law of the 6th May, 1888, respecting the conditions for admission to the Military School, is replaced by the following provision :—

"Nevertheless, young men under the age of 18 years, who, by the laws in force in Belgium, have the right of option, at that age, in favour of Belgian nationality, shall be equally admitted to compete.

"They shall, however, only be admitted to pass on to the second year's course of

studies after they have made their declaration of option according to the form required by law."

We promulgate, &c.

Given at Laeken, the 16th day of July, 1889.

(Signed) LEOPOLD.

By the King :

The Minister of Justice,

(Signed) JULES LE JEUNE.

No. 9.—*Extrait du "Moniteur Belge" du 2-3 Janvier, 1892, Nos. 2-3.*

MINISTÈRE DES AFFAIRES ÉTRANGÈRES.

*Loi approuvant la Convention conclue, le 30 Juillet, 1891, entre la Belgique et la France pour mettre fin à différents conflits résultant de l'application des Lois qui règlent le Service Militaire dans les deux Pays.**

Léopold II, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :—

Article Unique.—La Convention conclue le 30 Juillet, 1891, entre la Belgique et la France, pour mettre fin à différents conflits résultant de l'application des lois qui règlent le service militaire dans les deux pays, sortira son plein et entier effet.

Promulguons la présente Loi, ordonnons qu'elle soit revêtue du sceau de l'État et publiée par la voie du "Moniteur."

Donné à Laeken, le 30 Décembre, 1891.

(Signé) LÉOPOLD.

Par le Roi :

Le Ministre des Affaires Étrangères,

(Signé) Le Prince DE CHIMAY.

Vu et scellé du sceau de l'État :

Le Ministre de la Justice,

(Signé) JULES LE JEUNE.

Convention.

Sa Majesté le Roi des Belges et le Président de la République Française, désirant mettre fin aux difficultés résultant de l'application des lois qui règlent le service militaire en Belgique et en France, ont résolu de conclure une Convention dans ce but, et ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté le Roi des Belges, M. le Baron Beyens, son Envoyé Extraordinaire et Ministre Plénipotentiaire près le Gouvernement de la République Française, &c., &c., &c. ; et

Le Président de la République Française, M. Alexandre Ribot, Député, Ministre des Affaires Étrangères, &c., &c., &c. ;

* Session de 1890-1891 :

Chambre des Représentants.

Documents Parlementaires.—Exposé des Motifs et texte du Projet de Loi. Séance du 4 Août, 1891, pp. 221-222. Dépôt du Rapport. Séance du 8 Août, pp. 222-224.

Annales Parlementaires.—Dépôt du Rapport. Séance du 8 Août, 1891, p. 1770. Discussion et adoption. Séance du 11 Août, 1891, p. 1824.

Session de 1890-1891 :

Sénat.

Annales Parlementaires.—Dépôt du Rapport. Séance du 18 Août, 1891, p. 445. Discussion et adoption. Séance du 19 Août, 1891, p. 464.

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ARTICLE I.

Ne seront pas inscrits d'office, avant l'âge de 22 ans accomplis, sur les listes du recrutement militaire Belge :—

1. Les individus nés en France d'un Belge et domiciliés sur le territoire Français, qui tombent sous l'application de l'Article 8, § 4, du Code Civil Français ;

2. Les individus nés en France d'un Belge, qui peuvent invoquer l'Article 9, § 1^{er} du Code Civil Français ;

3. Les individus nés d'un Belge naturalisé Français pendant leur minorité, et ceux nés d'un ancien Français, réintégré dans cette qualité pendant leur minorité, qui tombent respectivement sous l'application des Articles 12, § 3, et 18 du Code Civil Français.

ARTICLE II.

Ne seront pas inscrits d'office, avant l'âge de 22 ans accomplis, sur les listes du recrutement militaire Français :—

1. Les individus nés en Belgique d'un Français qui peuvent invoquer l'Article 9 du Code Civil Belge ;

2. Les individus nés d'un Français naturalisé Belge pendant leur minorité, lesquels peuvent acquérir la nationalité Belge conformément à l'Article 4, § 1^{er} de la Loi Belge du 6 Août, 1881 ;

3. Les individus qui peuvent décliner la nationalité Française conformément aux Articles 8, § 4, 12, § 3, et 18 du Code Civil Français, à moins que pendant leur minorité il y ait eu renonciation à leur droit d'option conformément à l'Article 11 du Règlement d'Administration Publique Français du 13 Août, 1889.

ARTICLE III.

Les individus qui auront changé de nationalité, soit durant leur minorité, soit dans l'année qui aura suivi leur majorité, conformément aux dispositions légales visées dans les Articles I et II de la présente Convention, seront dégagés de tout service militaire dans le pays auquel ils appartenaient antérieurement, et astreints aux obligations militaires des jeunes gens de leur âge dans le pays auquel ils sont désormais rattachés.

ARTICLE IV.

Les jeunes gens nés en France de parents Belges qui eux-mêmes y sont nés ne seront pas appelés au service militaire en Belgique.

ARTICLE V.

Les enfants d'Agents Diplomatiques ou de Consuls Envoyés conservent la nationalité de leurs parents, à moins qu'ils ne réclament le bénéfice des lois des pays où ils sont nés.

ARTICLE VI.

Ne pourront être considérés comme étant de nationalité indéterminée, par l'application de l'Article 7 de la Loi Belge du 3 Juin, 1870, les individus qui produiront un certificat émané d'un Agent Diplomatique Français, et duquel il résultera qu'ils sont reconnus comme Français.

ARTICLE VII.

Les deux Gouvernements se communiqueront réciproquement, et dans le plus bref délai possible, les actes reçus par leurs autorités respectives dans les cas visés par la présente Convention.

Ils se signaleront, en outre, les individus qui se seront soustraits au service militaire dans l'un des deux pays, en excipant de la qualité de nationaux de l'autre.

ARTICLE VIII.

8. Les individus qui, avant la mise en vigueur de la présente Convention, ont satisfait à la loi militaire dans l'un des deux pays, sont dégagés du service militaire dans l'autre.

ARTICLE IX.

La présente Convention est conclue pour cinq ans, à partir de l'échange des ratifications. Dans le cas où aucune des Hautes Parties Contractantes n'aurait notifié, une année avant l'expiration de ce terme, son intention d'en faire cesser les effets, la Convention continuera d'être obligatoire encore une année, à compter du jour où l'une des Parties l'aura dénoncée.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Convention, qu'ils ont revêtue de leurs cachets.

Fait en double exemplaire à Paris, le 30 Juillet, 1891.

(L.S.)
(L.S.)

BEYENS.
A. RIBOT.

L'échange des ratifications a été opéré à Paris, le 31 Décembre, 1891.

Articles du Code Civil Français visés dans la Convention.

Article 8. Tout Français jouira des droits civils.

Sont Français :

- | | | | | |
|----|---|---|---|---|
| 1. | * | * | * | * |
| 2. | * | * | * | * |

3. Tout individu né en France d'un étranger qui lui-même y est né.

4. Tout individu né en France d'un étranger et qui, à l'époque de sa majorité, est domicilié en France, à moins que dans l'année qui suit sa majorité, telle qu'elle est réglée par la loi Française, il n'ait décliné la qualité de Français et prouvé qu'il a conservé la nationalité de ses parents par une attestation en due forme de son Gouvernement, laquelle demeurera annexée à la déclaration, et qu'il n'ait en outre produit, s'il y a lieu, un certificat constatant qu'il a répondu à l'appel sous les drapeaux, conformément à la loi militaire de son pays, sauf les exceptions prévues aux Traités.

Article 9. Tout individu né en France d'un étranger et qui n'y est pas domicilié à l'époque de sa majorité pourra, jusqu'à l'âge de 22 ans accomplis, faire sa soumission de fixer en France son domicile et, s'il s'y établit dans l'année à compter de l'acte de soumission, réclamer la qualité de Français par une déclaration qui sera enregistrée au Ministère de la Justice.

S'il est âgé de moins de 21 ans accomplis, la déclaration sera faite en son nom par son père; en cas de décès, par sa mère; en cas de décès du père et de la mère ou de leur exclusion de la tutelle, ou dans les cas prévus par les Articles 141, 142, et 143 du Code Civil, par le tuteur autorisé par délibération du Conseil de famille.

* * * * *

Article 12.

§ 3. Deviennent Français les enfants mineurs d'un père ou d'une mère survivant qui se font naturaliser Français, à moins que, dans l'année qui suivra leur majorité, ils ne déclinent cette qualité en se conformant aux dispositions de l'Article 8, § 4.

Article 18. Le Français qui a perdu sa qualité de Français peut la recouvrer, pourvu qu'il réside en France, en obtenant sa réintégration par Décret. La qualité de Français pourra être accordée par le même Décret à la femme et aux enfants majeurs s'ils en font la demande. Les enfants mineurs du père ou de la mère réintégrés deviennent Français, à moins que, dans l'année qui suivra leur majorité, ils ne déclinent cette qualité, en se conformant aux dispositions de l'Article 8, § 4.

Décret du 13 Août, 1889, portant Réglementation Publique pour l'Exécution du Code Civil Français.

Article 6. Les déclarations souscrites soit pour acquérir, soit pour répudier la qualité de Français sont reçues par le Juge de Paix du canton dans lequel réside le déclarant.

Elles peuvent être faites par procuration spéciale et authentique.

Elles sont dressées en double exemplaire sur papier timbré.

Le déclarant est assisté de deux témoins qui certifient son identité; il doit produire à l'appui de sa déclaration toutes les justifications nécessaires, en y joignant son acte de

naissance, et, le cas échéant, son acte de mariage et les actes de naissance de ses enfants mineurs, avec la traduction de ces actes, s'ils sont en langue étrangère.

En cas de résidence à l'étranger, les déclarations sont reçues par les Agents Diplomatiques ou par les Consuls.

Article 7. Les deux exemplaires de la déclaration et les pièces justificatives sont immédiatement adressés par le Juge de Paix au Procureur de la République, qui les transmet, sans délai, au Ministre de la Justice.

Article 8. La déclaration est inscrite à la Chancellerie sur un registre spécial ; l'un des exemplaires est déposé dans les archives, l'autre envoyé à l'intéressé avec la mention de l'enregistrement.

La déclaration enregistrée prend date du jour de sa réception par le Juge de Paix.

Article 11. La renonciation du mineur à la faculté qui lui appartient, par application des Articles 8, § 4, 12 et 18 du Code Civil, de décliner, à sa majorité, la qualité de Français, est faite en son nom par les personnes désignées dans l'Article 9, § 2, du Code Civil.

Certifié par le Secrétaire-Général du Ministère des Affaires Étrangères,
(Signé) Baron LAMBERMONT.

(Translation.)

Extract from the "Moniteur Belge" of January 2-3, 1892.

MINISTRY FOR FOREIGN AFFAIRS.

Law approving the Convention concluded, on July 31, 1891, between Belgium and France, to put an end to various Conflicts resulting from the application of the Laws regulating Military Service in the two Countries.

Leopold II, King of the Belgians, &c.

Sole Article.—The Convention concluded on the 31st July, 1891, between Belgium and France, to put an end to various conflicts resulting from the application of the Laws regulating military service in the two countries shall take full and entire effect.

We do promulgate the present Law, and order it to be sealed with the seal of the State, and published through the "Moniteur."

Given at Laeken, the 30th December, 1891.

(Signed) LEOPOLD.

By the King :

The Minister for Foreign Affairs,
(Signed) Prince DE CHIMAY.

Seen and sealed with the seal of the State :

The Minister of Justice,
(Signed) JULES LE JEUNE.

Convention.

His Majesty the King of the Belgians and the President of the French Republic, desiring to put an end to the difficulties arising from the execution of the Laws regulating military service in Belgium and in France, have resolved to conclude a Convention for that purpose, and have named as their Plenipotentiaries, to wit ;

His Majesty the King of the Belgians, Baron Beyens, his Envoy Extraordinary and Minister Plenipotentiary to the Government of the French Republic, &c. ;

And the President of the French Republic, M. Alexandre Ribot, Deputy Minister for Foreign Affairs, &c. ;

Who, after mutually presenting their full powers, &c., have agreed upon the following Articles :—

ARTICLE I.

The following shall not be officially entered, before the age of 22 years complete, upon the Belgian military recruiting lists :—

1. Persons born in France of a Belgian father, and domiciled on French territory, who fall within the operation of Article 8, § 4, of the French Civil Code ;

2. Persons born in France of a Belgian, who can appeal to Art. 9, § 1, of the French Civil Code ;

3. Persons born of a Belgian naturalized in France during their minority, and those born of a former Frenchman who has been restored to that nationality during their minority, who come respectively within the operation of Articles 12, § 3, and 18 of the French Civil Code.

ARTICLE II.

The following shall not be officially entered, before the age of 22 years complete, upon the French military recruiting lists :—

1. Persons born in Belgium of a Frenchman, who are entitled to appeal to Article 9 of the Belgian Civil Code ;

2. Persons born of a Frenchman naturalized as a Belgian during their minority, who may acquire Belgian nationality in accordance with Article 4, § 1, of the Belgian Law of the 6th August, 1881 ;

3. Those persons who are entitled to refuse French nationality in accordance with Articles 8, § 4, 12, § 3, and 18 of the French Civil Code, unless during their minority there has been a renunciation of their right of option, in accordance with Article 11 of the French Regulations respecting Public Administration of the 13th August, 1889.

ARTICLE III.

Those persons who shall have changed their nationality, either during their minority, or within the year following their majority, in accordance with the provisions of Law referred to in Articles 1 and 2 of the present Convention, shall be released from all military service in the country to which they previously belonged, and (shall be) liable to the military obligations of young men of their age in the country to which they are from henceforth bound.

ARTICLE IV.

Young men born in France, of Belgian parents who were themselves born there, shall not be summoned to military service in Belgium.

ARTICLE V.

The children of Diplomatic Agents, or of Consuls sent abroad (" Envoyés ") shall retain the nationality of their parents, unless they shall claim the benefit of the laws of the countries where they were born.

ARTICLE VI.

Those persons who shall produce a certificate issued by a French Diplomatic Agent, from which it shall appear that they are recognized as Frenchmen, may not be considered of doubtful nationality, under Article 7 of the Belgian Law of the 3rd June, 1870.

ARTICLE VII.

The two Governments shall communicate to each other, with as little delay as possible, the documents passed before their respective authorities in those cases to which the present Convention applies.

They shall, further, report to each other those persons who have escaped from military service in either of the two countries by claiming the nationality of the other.

ARTICLE VIII.

Those persons who, before the present Convention came into force, have complied with the military law in either of the two countries, are released from military service in the other.

ARTICLE IX.

The present Convention is concluded for five years from the exchange of ratifications.

In case neither of the High Contracting Parties shall have given notice, one year before the expiration of this period, of the intention to terminate its operation, the

Convention shall continue to be binding for one more year, counting from the date of its being denounced by either party.

In faith of which the respective Plenipotentiaries have signed the present Convention, and sealed it with their seals.

Done in duplicate, in Paris, the 30th July, 1891.

(L.S.)

BEYENS.

(L.S.)

A. RIBOT.

The exchange of ratifications took place in Paris on the 31st December, 1891.

Articles of the French Civil Code referred to in the Convention.

Article 8. Every Frenchman shall enjoy civil rights.

The following are Frenchmen :—

1. * * * *
2. * * * *

3. Every person born in France of a foreigner who was himself born there.

4. Every person born in France of a foreigner, and who, at the time of his majority, is domiciled in France, unless within the year following his majority, as it is established by French law, he shall have refused French nationality, and proved that he has retained the nationality of his parents, by an attestation in due form from his Government, which shall remain appended to his declaration, and shall further have exhibited, if necessary, a certificate to show that he has complied with the summons to military service, in accordance with the military law of his country, saving any exceptions provided for by Treaties.

Article 9. Every person born in France of a foreigner, and who is not there domiciled at the time of his majority, may, up to the age of 22 years complete, declare his intention of fixing his domicile in France, and, if he settles there within the year counting from the declaration of intention, he may claim French nationality by a declaration which shall be registered at the Ministry of Justice.

If he is under the age of 21 years complete, the declaration shall be made in his name by his father; if the father be dead, by his mother; if both father and mother be dead, or if they be excluded from the guardianship, or in those cases provided for under Articles 141, 142, and 143 of the Civil Code, then by the guardian authorized by the decision of the "conseil de famille."

* * * *

Article 12. The minor children of a father, or of a widowed mother, who obtains naturalization in France, shall become French, unless, within the year following their majority, they shall reject that national character by complying with the provisions of Article 8, § 4.

Article 18. The Frenchman who has lost his French nationality may recover the same, provided he shall reside in France, by obtaining his readmission by Decree. French nationality may be granted by the same Decree to his wife and his children who are of age, if they apply therefor. Minor children of a father or mother readmitted to French nationality shall become French, unless, within the year following their majority, they shall reject that national character by complying with the provisions of Article 8, § 4.

Decree of August 13, 1889, establishing Regulations for the guidance of the Public with regard to the Execution of the French Civil Code.

Article 6. Declarations signed for the purpose either of acquiring, or rejecting French nationality shall be made before the Justice of the Peace of the Canton in which the declarant resides.

They may be made by a special and authentic power of attorney.

They must be drawn up in duplicate, on stamped paper.

The declarant must be supported by two witnesses who shall certify to his identity; he must produce, in support of his declaration, all necessary evidence, appending thereto

his certificate of birth, and where necessary, his marriage certificate, and the birth certificates of his minor children, with translations of these documents if they are in a foreign language.

If the declarant resides abroad, the declarations must be made before Diplomatic Agents or Consuls.

Article 7. The two copies of the declaration, and the documentary evidence to support it, shall be at once transmitted by the "Juge de Paix" to the "Procureur de la République," who shall forward them, without delay, to the Minister of Justice.

Article 8. The declaration shall be entered at the clerk's office, in a special register; one copy of the declaration shall be kept in the archives, and the other sent to the person concerned, with a memorandum of its registration.

The declaration when once registered shall date from the day of its being passed before the "Juge de Paix."

Article 11. A minor's renunciation of the right belonging to him under Articles 8, § 4, 12, and 18 of the Civil Code of rejecting French nationality when he comes of age, shall be made, in his name, by the persons mentioned in Article 9, § 2, of the Civil Code.

Certified by the Secretary-General of the (Belgian) Ministry for Foreign Affairs.

(Signed) Baron LAMBERMONT.

Inclosure 3 in No. 2.

Special and Transitory Laws respecting Nationality and Naturalization in Belgium.

1. Netherlands Fundamental Law, Articles 8, 9, and 10.
2. Law of 22nd September, 1835.
3. Law of 4th June, 1839.
4. Law of 15th February, 1844.
5. Law of 20th May, 1845.
6. Law of 5th June, 1850.
7. Law of 30th December, 1853.
8. Law of 1st April, 1879.

No. 1.—*Loi Fondamentale du 24 Août, 1815.*

ARTICLE 8. Nul ne peut être nommé Membre des États-Généraux, Chef ou Membre des Départements d'Administration Générale, Conseiller d'État, Commissaire du Roi dans les Provinces, ou membre de la Haute Cour, s'il n'est habitant des Pays-Bas, né soit dans le Royaume, soit dans ses Colonies, de parents qui y sont domiciliés.

S'il est né à l'étranger pendant une absence de ses parents, momentanée ou pour service public, il jouit des mêmes droits.

Art. 9. Les naturels du royaume, ou réputés tels, soit par une fiction de la loi, soit par la naturalisation, sont indistinctement admissibles à toutes autres fonctions.

Art. 10. Pendant une année après la promulgation de la présente Loi Fondamentale, le Roi pourra accorder à des personnes nées à l'étranger et domiciliées dans le royaume les droits d'indigénat et d'admissibilité à tous les emplois quelconques.

(Translation.)

Fundamental Law of August 24, 1815.

Article 8. No one can be appointed a Member of the States-General, Head or Member of the Departments of the General Administration, Councillor of State, Royal Commissioner in the provinces, or Member of the Supreme Court, unless he be a resident in the Netherlands, born either in the kingdom or in its Colonies, of parents there domiciled.

If born abroad during an absence of his parents (from the kingdom), whether temporary or on the public service, he shall enjoy the same rights.

Article 9. Natives of the realm, or persons reputed such, either by a legal fiction, or through naturalization, shall be admissible without distinction to all other offices.

Article 10. During one year after the promulgation of the present Fundamental Law, the King may grant to persons born abroad, and domiciled within the realm, the rights of nationality and of admissibility to all offices whatsoever.

No. 2.—*Loi du 22 Septembre, 1835, concernant les Militaires nés Belges qui ont pris du Service à l'Étranger.*

Article 1^{er}. Seront considérés comme Belges de naissance, et jouiront de tous les droits civils et politiques attachés à cette qualité :—

1. Les individus nés Belges, qui, ayant été, sans autorisation, au service militaire chez l'étranger, et étant rentrés en Belgique avant le 1^{er} Janvier, 1833, ont combattu pour la cause de la Révolution, ou ont pris du service dans l'armée nationale, ou bien ont été admis à un emploi civil, et ont depuis lors continué de résider en Belgique.

2. Les habitants des provinces septentrionales de l'ancien Royaume des Pays-Bas, qui étaient domiciliés ou qui sont venus demeurer en Belgique avant le 7 Février, 1831, et qui ont depuis lors continué de résider en Belgique.

Art. 2. Les personnes auxquelles s'applique l'Article qui précède, devront déclarer que leur intention est de jouir du bénéfice de la présente Loi.

Cette déclaration devra être faite dans les six mois à compter du jour de la publication de la présente Loi, dans la forme et devant l'autorité déterminées par l'Article 133 de la Constitution.

Art. 3. Sont dispensés de cette déclaration les individus nés Belges, désignés dans l'Article 1^{er}, qui seraient rentrés en Belgique avec l'autorisation du Roi, et auraient déjà fait la déclaration voulue par l'Article 18 du Code Civil.

Art. 4. Sont exceptés de la disposition de l'Article 1^{er}, les individus nés Belges, restés, après le 1^{er} Août, 1831, au service d'une Puissance en guerre avec la Belgique.

Art. 5. La présente Loi sera exécutoire le lendemain de sa promulgation.

(Translation.)

Law of September 22, 1835, respecting Soldiers of Belgian birth who have entered into Foreign Service.

Article 1. The following shall be considered Belgians by birth, and shall enjoy all civil and political rights belonging to such nationality :—

1. Persons of Belgian birth who, having, without licence, entered the military service of a foreign Power, and returned to Belgium before the 1st January, 1833, have fought for the cause of the revolution, or have enlisted in the national army, or have been admitted to a civil office, and have since then continued to reside in Belgium.

2. Inhabitants of the northern provinces of the former Kingdom of the Netherlands, who were domiciled, or came to live, in Belgium before the 7th February, 1831, and have since then continued to reside in Belgium.

Art. 2. Persons to whom the preceding Article is applicable must make a declaration of their intention to avail themselves of the benefits of the present Law.

Such declaration must be made within six months from the date of publication of the present Law, in the form and before the officials laid down by Article 133 of the Constitution.

Art. 3. Those persons of Belgian birth, described in Article 1, who may have returned to Belgium with the King's licence, and have already made the declaration required by Article 18 of the Civil Code, shall be exempted from making the above declaration.

Art. 4. Those persons of Belgian birth who remained, after the 1st August, 1831, in the service of a Power at war with Belgium, are excepted from the provisions of Article 1.

Art. 5. The present Law shall come into force on the day following its promulgation.

No. 3.—*Loi du 4 Juin, 1839, concernant la qualité de Belge perdue par suite des Traités du 19 Avril, 1839 (Limbourgeois et Luxembourgeois), interprétée par la Loi du 1^{er} Juin, 1878.*

Article 1^{er} Toute personne jouissant de la qualité de Belge,* [qui est née dans une des parties du Limbourg ou du Luxembourg détachées de la Belgique par les Traités du 19 Avril, 1839], et perdrait cette qualité par suite de ces Traités, peut la conserver, à

* Les passages entre crochets ont été ajoutés par la loi interprétative.

la condition de déclarer que son intention est de jouir du bénéfice de la présente disposition, et de produire en même temps un certificat de l'Administration d'une commune située dans le territoire qui constitue définitivement le Royaume de Belgique, que le déclarant a transféré son domicile dans cette commune.

[Les personnes nées, avant le 8 Juin, 1839, sur le territoire actuel de la Belgique, de parents habitant ce territoire, qui ont perdu la qualité de Belges par suite des Traités prémentionnés, conservent cette qualité sans être soumises à la déclaration prescrite par le paragraphe précédent.]

Cette déclaration devra être faite dans les quatre ans, à compter du jour de l'échange des ratifications des Traités prémentionnés, si le déclarant est majeur, ou s'il le devient avant le commencement de la quatrième année.

S'il ne devient majeur qu'après cette époque, il aura la faculté de faire la déclaration dans l'année qui suivra sa majorité.

La déclaration et la production du certificat auront lieu devant le Gouverneur de la province à laquelle ressortit le lieu où il a transféré son domicile, ou celui qui le remplace, assisté du Greffier provincial.

La déclaration sera faite en personne ou par un mandataire porteur d'une procuration spéciale et authentique.

Art. 2. Les personnes assimilées par la loi aux Belges de naissance, ou ayant obtenu la naturalisation, qui ont leur domicile dans les parties cédées, conserveront leur qualité, en se conformant, dans le même délai, aux dispositions de l'Article 1^{er}.

Art. 3. Seront déchues du bénéfice des Articles précédents les personnes qui poseront un des faits emportant perte de la qualité de Belge, aux termes des Articles 17 et 21 du Code Civil. Toutefois, le Roi pourra les relever de la déchéance, aux termes des Articles 18, 20, et 21 du même Code.

(Translation.)

*Law of June 4, 1839, respecting Belgian Nationality lost in consequence of the Treaties of April 19, 1839 (re Limburgers and Luxemburgers), interpreted by the Law of June 1, 1878.**

Article 1. Any person in the enjoyment of Belgian nationality [who was born in one of those portions of Limburg or Luxemburg separated from Belgium by the Treaties of the 19th April, 1839], and who would lose the said nationality in consequence of those Treaties, may preserve it, subject to the condition of declaring that it is his intention to avail himself of the benefits of the present provision, and of producing a certificate from the authorities of a commune situated within the territory finally constituting the Kingdom of Belgium, to the effect that the declarant has transferred his domicile to the said commune.

[Persons born before the 8th June, 1839, within the present territory of Belgium, of parents dwelling in the said territory, who had lost their Belgian nationality in consequence of the above-mentioned Treaties, shall retain the said nationality without being required to make the declaration laid down by the preceding paragraph.]

The said declaration must be made within four years, counting from the date of the exchange of the ratifications of the Treaties above referred to, if the declarant be already of age, or if he shall attain his majority before the beginning of the fourth year.

If he only becomes of age after that time, he shall be allowed to make the declaration within the year following his majority.

The declaration and the production of the certificate shall take place before the Governor of the province in which the place where the declarant has transferred his domicile is situated, or before his substitute, assisted by the provincial Registrar.

The declaration shall be made either in person or through a representative furnished with a special and authentic power of attorney.

Art. 2. Persons whom the law has placed on a level with Belgians by birth, or who have been naturalized, and who are domiciled in the ceded districts, shall preserve their nationality upon complying, within the same limit of time, with the provisions of Article 1.

Art. 3. Persons who shall have committed one of the acts entailing the loss of Belgian nationality under Articles 17 and 21 of the Civil Code shall be excluded from the benefits of the preceding Articles. Nevertheless, the King may relieve them from such exclusion, under the provisions of Articles 18, 20, and 21 of the said Code.

* Those passages which are inclosed in square brackets have been added by the interpreting Law.
[897]

No. 4.—Loi du 15 Février, 1844, qui assujettit les Naturalisations à un Droit d'Enregistrement.

Article 1^{er}. La naturalisation ordinaire est assujettie à un droit fixe d'enregistrement de 500 fr. (sans additionnels).

La grande naturalisation est assujettie à un droit fixe de 1,000 fr. (sans additionnels) dans les cas prévus par les §§ 2 et 3 de l'Article 2, et par l'Article 16 de la Loi du 27 Septembre, 1835.

Art. 2. Sont exempts des droits établis par l'Article précédent :

1. Les décorés de la Croix de Fer, et ceux qui ont pris part aux combats de la révolution.

2. Les militaires actuellement au service.

Art. 3. Lorsqu'un droit d'enregistrement est dû, la déclaration prescrite par l'Article 10 de la Loi du 27 Septembre, 1835, ne sera reçue que sur la production de la quittance du receveur de l'enregistrement constatant que le droit a été consigné.

Art. 4. Le délai de deux mois fixé par l'Article 11 de la Loi du 27 Septembre, 1835, est porté à trois mois.

Disposition Transitoire.

Art. 5. Le droit d'enregistrement ne sera pas dû par les personnes dont la demande aura été prise en considération par les deux Chambres au moment de la promulgation de la présente Loi.

(Translation.)

Law of February 15, 1844, subjecting Naturalization to a Registration Fee.

Article 1. Ordinary naturalization is hereby subjected to a fixed registration fee of 500 fr. (without any extras).

Great naturalization is subjected to a fixed registration fee of 1,000 fr. (without extras) in the cases referred to in §§ 2 and 3 of Article 2, and in Article 16, of the Law 27th September, 1835.

Art. 2. The following are exempted from the fees imposed by the foregoing Article:—

1. Persons who have received the Iron Cross, and those who took part in the conflicts of the revolution.

2. Soldiers actually in the service.

Art. 3. When a registration fee is due, the declaration required by Article 10 of the Law of the 27th September, 1835, can only be accepted upon the production of the receipt of the clerk of the registration office showing that the fee has been paid.

Art. 4. The period of two months established by Article 11 of the Law of the 27th September, 1835, is hereby extended to three months.

Temporary Provision.

Art. 5. The registration fee shall not be payable by those persons whose application shall have been taken into consideration by both Chambers at the time of the promulgation of the present Law.

No. 5.—Loi du 20 Mai, 1845,* accordant à d'anciens habitants des parties cédées du Limbourg et du Luxembourg un nouveau délai pour acquérir la qualité de Belge.

Article 1^{er}. Les personnes mentionnées dans l'Article 1^{er} de la Loi du 4 Juin, 1839, et qui, ayant transféré leur domicile dans une commune Belge avant l'expiration du délai fixé par cet Article, et l'ayant conservé depuis, ont cependant négligé de faire leur déclaration, pourront obtenir la grande naturalisation sans justifier des conditions exigées par le § 1^{er} de l'Article 2 de la Loi du 27 Septembre, 1835.

Art. 2. Pour obtenir cet avantage, il leur suffira de faire, dans un délai de trois mois, à compter du jour de la publication de la présente Loi, la déclaration prescrite par la Loi du 4 Juin, 1839, et dans la forme établie par cette Loi.

Art. 3. (Exemption du droit d'enregistrement.)

(Translation.)

Law of May 20, 1845, granting to former Inhabitants of the ceded portions of Limburg and Luxemburg a fresh limit of time for acquiring Belgian Nationality.

Article 1. Those persons mentioned in Article 1 of the Law of the 4th June, 1839, who, although having removed their domicile into a Belgian commune before the expiration of the time fixed by the said Article, and having maintained it (there) ever since, have, nevertheless, omitted to make their declaration, shall be entitled to obtain great naturalization, without complying with the conditions imposed by § 1 of Article 2 of the Law of the 27th September, 1835.

Art. 2. In order to obtain this privilege, it shall be sufficient for them to make the declaration required by the Law of the 4th June, 1839, in the manner determined by the said Law, within a period of three months, counting from the date of publication of the present Law.

Art. 3. (Provides for exemption from the registration fee.)

No. 6.—*Loi du 5 Juin, 1850,* accordant, sous certaines conditions, la Grande Naturalisation à quelques Habitants des Hameaux de Beersel, de la Commune de Molen-Beersel.*

Article 1^{er}. Les personnes mentionnées dans l'Article 1^{er} de la Loi du 4 Juin, 1839, et qui, ayant transféré leur domicile dans les hameaux Beersel, de la commune de Molen-Beersel, avant la remise de ces hameaux aux autorités Belges, effectuée les 10 et 11 Novembre, 1843, et l'ayant conservé depuis dans une commune Belge, n'ont cependant pu faire leur déclaration, pourront obtenir la grande naturalisation sans justifier des conditions exigées par le § 1^{er} de l'Article 2 de la Loi du 27 Septembre, 1835.

Art. 2. Pour obtenir cet avantage, il leur suffira de faire, dans un délai de trois mois, à compter du jour de la publication de la présente Loi, la déclaration prescrite par la Loi du 4 Juin, 1839, et dans la forme établie par cette Loi.

Art. 3. (Exemption du droit d'enregistrement.)

(Translation.)

Law of June 5, 1850, granting, upon certain conditions, Great Naturalization to some Inhabitants of the Beersel Hamlets, in the Commune of Molen-Beersel.

Article 1. Those persons mentioned in Article 1 of the Law of the 4th June, 1839, who, though having removed their domicile to the hamlets of Beersel in the commune of Molen-Beersel, before the delivery of those hamlets to the Belgian authorities, effected on the 10th and 11th November, 1843, and having maintained it ever since in a Belgian commune, have, nevertheless, been unable to make their declaration, shall be entitled to obtain great naturalization without complying with the conditions imposed by § 1 of Article 2 of the Law of the 27th September, 1835.

Art. 2. In order to secure this privilege, it shall be sufficient for them to make, within a period of three months, counting from the date of publication of the present Law, the declaration required by the Law of the 4th June, 1839, in the form established by the said Law.

Art. 3. (Provides for exemption from the registration fee.)

No. 7.—*Loi du 30 Décembre, 1853, portant Exemption du Droit d'Enregistrement de la Naturalisation en faveur d'Habitants des parties cédées du Limbourg et du Luxembourg.†*

Article 1^{er}. Les habitants des parties cédées du Limbourg et du Luxembourg, nés avant l'époque du 4 Juin, 1839, qui, ayant omis de faire, en temps opportun, la déclara-

* Publiée le 7 Juin, 1850.

† Cette Loi a perdu presque toute son importance depuis celle du 1^{er} Avril, 1879 (voir ci-après); elle n'est cependant pas abrogée et peut être invoquée par les personnes qui n'auraient pas profité, dans le délai d'un an fixé par cette dernière Loi, de la faveur qu'elle leur offre.

tion voulue pour rester Belges, obtiendront la naturalisation, ne seront point soumis à payer le droit d'enregistrement établi par la Loi du 15 Février, 1844.

Le Gouvernement est autorisé à rembourser le montant de ce droit aux personnes de cette catégorie qui l'auraient acquitté.

Art. 2. Toute personne, née dans les parties cédées du Limbourg ou du Luxembourg de parents qui, durant sa minorité, ont fait la déclaration prescrite par la Loi du 4 Juin, 1839, est recevable, si elle n'a perdu la qualité de Belge que pour n'avoir point fait elle-même, en temps opportun, la déclaration exigée par cette Loi, à demander la grande naturalisation sans qu'il soit besoin de justifier qu'elle ait rendu des services éminents à l'État.

(Translation.)

Law of December 30, 1853, providing for Exemption from the Registration Fee upon Naturalization in favour of Inhabitants of the ceded portions of Limburg and Luxemburg.*

Article 1. Those inhabitants of the ceded portions of Limburg and Luxemburg born previously to the 4th June, 1839, who, having omitted to make, at the proper time, the necessary declaration in order to remain Belgians, shall obtain naturalization, shall not be required to pay the registration fee established by the Law of the 15th February, 1844.

The Government is authorized to refund the amount of the said fee to such persons of the above-mentioned category as may have already paid it.

Art. 2. Any person born in the ceded portions of Limburg and Luxemburg, of parents who, during his or her minority, have made the declaration required by the Law of the 4th June, 1839, is entitled to apply for great naturalization without having to furnish proofs of having rendered eminent services to the State, if he or she has only lost Belgian nationality through not making at the proper time the declaration required by the said Law,

No. 8.—*Loi du 1^{er} Avril, 1879, relative à la qualité de Belge en faveur des Personnes qui ont omis de remplir ou imparfaitement rempli les Formalités requises pour l'acquérir.*

Article 1^{er}. L'individu, né en Belgique d'un étranger, qui aura négligé de faire devant l'autorité compétente, dans l'année qui a suivi l'époque de sa majorité, la déclaration prescrite par l'Article 9 du Code Civil, ou qui aura fait une déclaration nulle ou insuffisante, sera admis à faire encore sa déclaration dans le délai d'une année, à compter du jour de la publication de la présente Loi.

Art. 2. Sera, dans le même délai d'une année, admis à recouvrer la qualité de Belge, en remplissant les formalités prescrites par l'Article 1^{er} de la Loi du 4 Juin, 1839, tout individu qui, ayant pu conserver cette qualité aux termes de cette Loi, l'aura perdue en négligeant de faire la déclaration requise.

Art. 3. Sera aussi admis, dans le même délai d'une année, à réclamer la qualité de Belge en remplissant les formalités prescrites par la Loi du 22 Septembre, 1835, tout habitant des provinces septentrionales de l'ancien Royaume des Pays-Bas, qui, résidant en Belgique avant le 7 Février, 1831, et ayant depuis lors continué d'y résider, aura négligé de faire la déclaration prescrite par cette Loi.

Art. 4. Ceux qui deviendront Belges dans les cas prévus par les Articles précédents ne pourront se prévaloir de cette qualité qu'après avoir rempli les conditions qui leur sont imposées par ces Articles et seulement pour l'exercice des droits ouverts à leur profit depuis cette époque.

Leurs enfants et leurs descendants mineurs seront admis à faire cette réclamation, moyennant l'accomplissement des mêmes formalités, dans l'année qui suivra l'époque de leur majorité.

* This Law has lost almost all its importance since the passing of the Law of the 1st April, 1879; it is, however, unrevoked, and may be invoked by persons who may not have availed themselves, within the limit of time enacted by the latter Law (one year), of the advantages which it afforded them.

(Translation.)

Law of April 1, 1879, respecting Belgian Nationality on behalf of persons who have omitted to perform, or imperfectly performed, the Formalities necessary for acquiring it.

Article 1. Any person, born in Belgium, of a foreigner, who shall have neglected to make, before the proper authority, within the year following his majority, the declaration required by Article 9 of the Civil Code, or who shall have made an invalid or insufficient declaration, shall still be admitted to make his declaration within a period of one year, counting from the date of publication of the present Law.

Art. 2. Within the same period of one year, on complying with the formalities required by Article 1 of the Law of the 4th June, 1839, any person who, while entitled to retain Belgian nationality in accordance with the said Law, has lost it by neglecting to make the necessary declaration, shall be admitted to recover Belgian nationality.

Art. 3. Within the same period of one year, on complying with the formalities laid down in the Law of the 22nd September, 1835, any inhabitant of the northern provinces of the former Kingdom of the Netherlands, residing in Belgium before the 7th February, 1831, and who shall have continued to reside there ever since, but has neglected to make the declaration required by that Law, shall be allowed to claim Belgian nationality.

Art. 4. Persons who may become Belgians under the provisions of the preceding Articles shall only be entitled to avail themselves of that national character after they have complied with the conditions imposed upon them by those Articles, and only for the exercise of such rights as have become open to them since that time.

Their children and descendants, if minors, shall be admitted to claim the same privileges, upon complying with the same formalities, during the year which shall follow their majority.

BULGARIA.

No. 3.

Mr. Lowther to the Earl of Rosebery.—(Received December 6.)

My Lord,

Sophia, December 1, 1892.

IN obedience to the instructions contained in your Lordship's Circular despatch of the 13th October, I have the honour to transmit a copy and translation of the only Law in force in this country relating to nationality and naturalization.

I do not think that any observations are required to explain the effect of this Law, which is simple in its terms, and based on the French Law.

I am officially informed that, in the event of any question of dispute arising as to its application, the case is submitted directly to the *Sobranjé*, which decides each case on its merits.

I have, &c.

(Signed) GERARD LOWTHER.

Inclosure in No. 3.

Law on Bulgarian Nationality.—Ratified by Princely Ukase of the 26th February, 1883 (o. s.).

(Translation.)

Chapter I.—*Bulgarian Nationality.*

ARTICLE 1. Bulgarian nationality gives a right to the exercise of all civil and political rights in Bulgaria, and renders obligatory all the duties legalized in the State.

Bulgarian subjects living abroad are subject to the legislation of their native country in all things relating to their civil and personal status ("statut personnel").

Art. 2. Are considered Bulgarian subjects all those Turkish subjects who, at the time of the declaration of the war for the liberation of Bulgaria, had their domicile, or had been born, within the limits of the Bulgarian Principality.

Art. 3. Every person living in Bulgaria is considered a Bulgarian subject until he proves the contrary.

Art. 4. Are likewise considered Bulgarian subjects all persons born abroad after the emancipation of the Bulgarian Principality, and in circumstances which, on the basis of the present Law, confer the quality of a Bulgarian subject.

Art. 5. Bulgarian nationality is acquired by birth, marriage, and naturalization.

Art. 6. When a father acquires Bulgarian nationality he acquires it simultaneously for his wife and children.

Only children who are not yet 21 years old, and who live with their father when he acquires Bulgarian nationality, become Bulgarian subjects. The same rule applies to the mother of an illegitimate child when the father is unknown.

Chapter II.—*Nationality by Birth and Marriage.*

Art. 7. Is considered a Bulgarian subject every legitimate child of a Bulgarian subject.

Art. 8. Every illegitimate child recognized as the son of a Bulgarian subject is a Bulgarian subject.

Art. 9. Every illegitimate child, unrecognized by its father but recognized by its mother, a Bulgarian subject, is considered a Bulgarian subject.

Art. 10. Articles 7, 8, and 9 are applied also to children born abroad.

Art. 11. Every person of foreign nationality, but of Bulgarian origin, may acquire Bulgarian nationality by settling in the Principality, and declaring his intention of having his domicile within the limits of Bulgaria. He acquires the quality of a Bulgarian subject, after renouncing his present nationality, according to the laws of the country of which he wishes to cease from being a subject.

Art. 12. The declaration mentioned in Article 11 is handed to the Mayor of the Commune in which the petitioner has settled.

Art. 13. Children found on Bulgarian territory without father or mother are Bulgarian subjects.

Art. 14. Every foreigner (female) who marries a Bulgarian subject acquires Bulgarian nationality. After dissolution of marriage she may renounce Bulgarian nationality by conforming to Article 25 of the present Law.

Art. 15. When a foreign subject is born in Bulgaria of a legitimate or illegitimate father, or of an illegitimate mother, who have also been born in Bulgaria, he is considered a Bulgarian subject if, in the course of a year after attaining his 21st birthday, he does not declare his desire to remain, as before, a foreign subject. This declaration must be made before his Consul, but it will have no effect unless the Consul communicates it to the Minister for Foreign Affairs, who must acknowledge its receipt.

Chapter III.—*Naturalization.*

Art. 16. Bulgarian nationality can only be acquired by foreign subjects of the age of 21 years, who make a demand to that effect in writing. No previous authorization is required from any foreign Government for this request.

Art. 17. A married female foreign subject cannot be naturalized separately from her husband.

Art. 18. A foreigner wishing to be naturalized must present his request through the Mayor of the Commune in which he lives. The Mayor immediately forwards this petition to the Minister of Justice through the Prefect or Sub-Prefect. In this petition the foreigner must simultaneously declare that he wishes to settle in Bulgaria, if he does not already reside there.

Art. 19. Every foreign subject desirous of enjoying the rights granted him by the above Articles must present himself before the Mayor of the Commune in which he resides with five witnesses of Bulgarian nationality who have attained their majority, and who must be inhabitants of the same Commune. These must affirm, together with the Mayor, that the foreigner has a good character; that he has resided for at least one year in the same Commune, or that he has served in the Bulgarian army as a Volunteer, and that he fulfils at least one of the following conditions, namely: that he possesses real property in the Commune, or that he exercises as a means of livelihood an independent profession. The above will be embodied in a statement to be signed by the Mayor, by the foreigner demanding Bulgarian nationality, and by the witnesses. This statement, accompanied by the declaration, is sent to the Minister of the Interior.

Art. 20. If a foreigner who has made the above declaration continues to reside three years in the country after his petition has been forwarded, and if by his conduct he proves himself to be living an honest life, and causing no injury to the country, the Prince can, on the proposition of the Minister of Justice, with the consent of the Council of State, accord, by special Decree, Bulgarian nationality to the petitioner.

Art. 21. If Bulgarian nationality has been refused to a foreigner who has applied for it, the said foreigner cannot renew his application until after the expiration of three years, counting from the date of the statement drawn up by the Mayor.

Art. 22. The National Assembly can accord Bulgarian nationality without regard to the time of residence in Bulgaria, or to the other conditions enumerated in Article 19, to any foreign subject who may have rendered signal service to Bulgaria, who may have established some useful industry in the country, who may have introduced a useful invention, or who may have founded large commercial or industrial establishments in Bulgaria.

Chapter IV.—*Loss of Bulgarian Nationality.*

Art. 23. Any Bulgarian subject who, without previous authorization from His Highness the Prince, accepts any civil employment in a foreign State, loses his Bulgarian nationality.

Art. 24. Any Bulgarian subject who, without previous authorization from His Highness the Prince, takes service in a foreign army, or joins any foreign military body, loses his Bulgarian nationality. Moreover, he cannot return to Bulgaria without previous permission from the Bulgarian Government, which permission does not exonerate him from the responsibility before the law if he has taken arms against his country.

Art. 25. A female foreign subject who has acquired Bulgarian nationality by marriage can, after the dissolution of her marriage, and if she has no children, renounce Bulgarian nationality by a declaration made by her to the Mayor of the Commune in which she resides. Upon this declaration the Mayor draws up a *procès-verbal* in duplicate; one copy is handed to the party making the declaration, and the other is forwarded through the proper channel to the Minister of the Interior.

Art. 26. A female Bulgarian subject who marries a foreigner, loses, *ipso facto*, her Bulgarian nationality. Nevertheless, after the dissolution of the marriage, and if she resides in Bulgaria, and has no children from this marriage, she reacquires Bulgarian nationality by the simple fact of the dissolution of the marriage.

Art. 27. Any Bulgarian subject who has, according to the Penal Code, been condemned by a Tribunal to perpetual exile from Bulgaria, loses his Bulgarian nationality by the simple fact of this sentence.

Art. 28. No Bulgarian subject residing in Bulgaria can become the subject of a foreign State without previous authority from the Bulgarian Government.

Art. 29. Every Bulgarian subject residing abroad may become a naturalized foreign subject in conformity with the law of the country in which he resides. In this event he loses his Bulgarian nationality.

Art. 30. Bulgarian nationality can only be lost through one of the reasons enumerated in this chapter. No other declaration or step whatever, by means of which a Bulgarian subject endeavours to prove that he has renounced, or renounces, his nationality, is valid.

Art. 31. The loss of Bulgarian nationality extends in all cases to children born after their father has lost such nationality. This applies to his wife and to his children under age, excepting in the case provided for in Article 27.

Art. 32. Children who have attained their majority when their parents lost their Bulgarian nationality remain Bulgarian subjects.

Art. 33. Legitimate minors, children of a widow, do not lose their Bulgarian nationality if their mother marries a foreigner.

Art. 34. Any Bulgarian subject who has lost his nationality may reacquire it if he returns and settles again in Bulgaria with the previous authorization of the Bulgarian Government.

Art. 35. In case of dispute as to nationality, whether between private persons or on the part of the Government, the Bulgarian Tribunals shall decide the matter.

Art. 36. The Law on Bulgarian nationality of the 17th December, 1880, as well as all other Regulations contrary to the present Law, are repealed.

DENMARK.

No. 4.

Sir H. MacDonell to the Earl of Rosebery.—(Received November 16.)

My Lord,

Copenhagen, November 14, 1892.

WITH reference to your Lordship's despatch of the 31st ultimo, I have the honour to transmit herewith copies of the Danish Laws on Nationality and Naturalization, with a full translation of the same.

I have, &c.
(Signed) H. G. MACDONELL.

Inclosure in No. 4.

*Danish Laws of Naturalization and Allegiance.**Law of the 15th January, 1776.*

(Translation.)

Law as to Rights of Natural-born Subjects, whereby admission to offices in His Majesty's Kingdom and Possessions can only belong to natural-born subjects, and to those who can be recognized as such.

WE, Christian VII, &c., hereby make known that it has long been our determination to ordain by a Fundamental Law, under certain necessary restrictions, that all employments in our States, whether at Court, in the Church, or in the Military and Civil Services, of great or little importance, neither can nor shall be given to other than natural-born subjects, and to those who can be recognized as such. Equity demands that the country's children shall enjoy their country's bread, and that any emoluments belonging to the State should fall to the share of the burghers.

The experience of all times has taught that in a country where the education of the youth is duly attended to, persons of ability are never lacking when the Government seeks for them. So also can we look back with pride on the history of our Fatherland, because it can show men of all conditions who have served, honoured, and saved their country, men who, with the most noble determination, and to their undying renown, have sacrificed themselves for their Sovereigns our forefathers, so as to glorify or to maintain their rule. For these reasons our Kings have tenderly loved their people, and have had the strongest proofs of the affection of their people, who have always been ready when most needed in times of greatest danger.

All these considerations have determined us, by a high and irrevocable Order, to secure to the country's sons the offices at the disposal of the State.

Notwithstanding that we have had, and at present have, in our service and in that of the State, certain foreigners, who with praiseworthy zeal have served, and to our complete satisfaction are serving us. We, nevertheless, following the righteous law of equity, love, and conscience, and with that due regard for the capabilities of the youth of our country which we have ever shown, and shall henceforth continue to show, do hereby order and determine as follows:—

1. From the date of the present Law it shall be a recognized qualification for holding office or employment in this our kingdom and country, whether it be at Court, in the Church, or in the Civil or Military Services, that the person be born in our States, or of such native-born subjects who, either by reason of their travelling abroad, or being in our service, might be out of the country. To this end shall our colleges, or whosoever recommends a person for employment or office, as well as all others who have the right to nominate any one to any post in the State, be careful, under pain of our displeasure, not to propose any others than Danes, Norwegians, or Holsteiners, or persons who can be

reckoned as such; and in all letters of appointment and commissions it shall be expressly stated that the person has the necessary qualifications as defined by this our irrevocable Law.

2. Are deemed natural-born subjects all those who, from the 29th January, 1776, are already in our service, or in that of the State, although they have not been born in the kingdom.

3. Furthermore, are deemed natural-born all such persons of foreign birth who already own and possess, or hereafter, by inheritance, marriage, purchase, or by other lawful means, become possessed of landed property or other real estate of the value of at least 30,000 rigsdollars, whether it consist of arable farms in Denmark, iron or other works and property in Norway, landed property in Holstein, as also plantations in our West Indian Islands, or become possessed of farms or factories in our Danish, Norwegian, or Holstein towns, as well as of manufactories in our kingdom, where the same are permitted, to the value of 10,000 rigsdollars; but the owners of all these must show, by clear legal proof, that such possessions actually belong to them to the extent of the sum named.

4. Again, shall be deemed natural-born subjects those foreigners who establish themselves here and remain in the country, on the production of satisfactory evidence that they have standing in our Companies, or in any other business in our kingdom, the sum of 20,000 rigsdollars.

5. Shall be deemed natural-born subjects (a) such professors who shall be brought over from abroad and appointed to our University at Kiel, to St. Peter's Church in Copenhagen, to Missions in Tranquebar, or to any other of the reformed communities in our States.

(b.) Likewise such foreign manufacturers, artists, and professors, as may be required for the establishment of any new institution in our States.

(c.) Recruiting continues on the same footing as heretofore.

We reserve to ourselves to reward such under-officers and privates as have distinguished themselves by their courage in our service.

6. All foreigners who, according to Articles 2, 3, 4, and 5, shall be reckoned as being assimilated to natural-born subjects, and are now in our kingdom, or in our service, must within one year from the issuing of this Order, present themselves at our Danish Chancery with a most humble petition that letters of naturalization be granted to them in case they have not already obtained them. These certificates shall be issued without charge.

All those who fail to comply with this formality shall be held by Us to have excluded themselves from holding any office to which it may have been our intention to appoint them.

7. Foreigners who shall hereafter come to our country, and who, in accordance with Articles 2, 3, 4, and 5, expect to enjoy the rights of native-born subjects, must, on payment of the usual fees, present a humble petition praying for letters of naturalization, before they can hope to obtain any employment on the same footing as native-born subjects.

8. With regard to our pages and cadets of the Military and Naval Services, we shall, as by these presents we now do, absolutely determine that no child except such as can be reckoned as native-born, shall or may be accepted for either of these posts, being fully persuaded that our Royal House will for all time religiously observe the same invariable rule with regard to its pages, and, in general, consider it a sacred duty not to employ at Court persons of either sex who cannot be reckoned as native-born subjects.

In the same manner we desire that all institutions and conventual establishments within our States shall be so managed that they shall be reserved solely and alone for married women and spinsters, natives of the country, or for such persons who can be reckoned as native-born.

9. All foreigners who, under Articles 2, 3, 4, and 5, cannot be deemed natural-born, and so not entitled to advancement and employment, have full liberty to reside and earn their livelihood in our kingdom, in such manner as our Laws and Regulations allow, and there to enjoy all the protection and respect that every man according to his estate may expect to receive from a Christian and paternal Government. Their children born here, so long as they remain in the State, shall be deemed native-born subjects.

Likewise this Ordinance of ours does not prevent any Master of a Corporation, Manager, or Director, from remaining in his Corporation or jurisdiction.

10. As this our present will and Edict is founded on immutable justice, and in the natural ties which, as King by right of succession and absolute power, bind us to our people, so are we convinced that future Sovereigns will always be of the same mind;

and, therefore, we declare this our Edict to be an unchangeable and inviolable law in this country, which we, as King and father, desire our descendants faithfully to follow and never to swerve from, unless any occasion should arise of such supreme importance to the State, and which human foresight could not possibly predict, so that an exception to this Fundamental Law might be unavoidably necessary, and even then such departure shall not be taken as a precedent, or in any way diminish the authority of this Edict and its perpetual operation.

With the same solicitude for our people, and in order to maintain them in the enjoyment of their natural rights, which we in the present Law have decreed, we have begged our beloved and only brother, His Royal Highness the Crown Prince, to execute for himself, and for his descendants, a deed or act of assurance, that should the succession at any time, in accordance with God's will, pass to the other branch of our house, this natural and equitable Law shall be, and remain, a Fundamental Law, which act our beloved brother has with the greatest pleasure, under this day's date, duly drawn up, executed, and sent to be preserved in our archives.

Likewise we desire that two originals thereof, signed by Us, shall be laid by with the Royal Edicts.

Now, we do hereby order and command our colleges, and those who are named in the foregoing 1st Article, or are included thereunder, carefully to watch over the observance of this Law, and to see that there be no transgression of the same.

Law containing the Supplement to the Law concerning the Rights of Natural-born Subjects of the 15th January, 1776.

(Translation.)

1. Natives of Denmark, who have become citizens of a foreign country, cannot exercise the rights belonging to native-born citizens, nor are they subject to the obligations of native-born citizens.

They enter on the enjoyment of the rights belonging to native-born citizens, and must bear all the obligations of native citizenship, when they establish a permanent domicile in this country and free themselves from the status of subjects of the foreign countries concerned, or when, according to the laws of such countries, that is not possible, they make a declaration before the Minister of the Interior that they renounce all the rights belonging to that status.

If they have resided in this country for two years or over, such residence is held to be proof sufficient that they are freed from the status of subjects of the foreign countries concerned; but at the same time the Government is empowered to make by Treaty other regulations on condition of reciprocity.

2. This Law does not apply to persons to whom the rights of native citizenship are secured in conformity with Article XIX of the Treaty of Peace of the 30th October, 1864.

Dated at Amalienborg, the 25th March, 1871.

Article 51 of the Fundamental Law of the 1st June, 1849.

No foreigner can obtain naturalization except in virtue of a law.

FRANCE.

No. 5.

The Marquis of Dufferin to the Earl of Rosebery.—(Received November 21.)

My Lord,

Paris, November 18, 1892.

IN reply to your Lordship's Circular of the 13th ultimo, I have the honour to report that the provisions relating to nationality and naturalization in France are to be found in the Chapters of the Civil Code of the 8th March, 1803, headed, "On the Enjoyment of Civil Rights" and "On the Deprivation of Civil Rights," Articles 7 to 21, inclusive. These Articles have individually undergone various modifications at different times, until, finally, the Nationality Law of the 26th June, 1889, gave their present form to Articles 7 to 10, 12 and 13, and 17 to 21, abrogating all previous Decrees and Laws specified, and all dispositions contrary to that Law.

I have the honour to inclose herewith copy and translation of the Nationality Law of the 26th June, 1889 (Inclosure 1 to this despatch), and of Articles 11, 14, 15, and 16 of the Civil Code, which remained unmodified by the above Law (Inclosure 2 to this despatch).

I further have the honour to inclose copy and translation of an administrative Decree regulating the execution of the Nationality Law of the 26th June, 1889, dated the 16th August of the same year (Inclosure 3 to this despatch).

The above represent the law in force at the present time in France relating to nationality and naturalization.

It is, however, necessary to add that the third paragraph of Article 8 of the Civil Code, as modified by the Law of the 26th June, 1889, has received a wider extension than the wording of it would appear necessarily to imply, through the interpretation given by the Court of Cassation—the Final Court of Appeal in France—by a decision, dated the 7th December, 1891, as to the interpretation to be placed on the word "étranger."

By this decision—in the third paragraph of Article 8, running "every individual born in France of a foreigner ('d'un étranger') also born there"—the word "foreigner" is now interpreted to mean either the father or the mother; and thus, if either of the parents were born in France, the son born in France is considered to be a French citizen.

The point was raised in the case of Lucien Hess, who was desirous of vindicating his French nationality, contested by the Minister of War. As M. Hess came of full age in the year 1878, and the Law of 1889 had no retrospective effect, he finally based his case upon the Laws of the 7th February, 1851, and 16th December, 1874, but the wording is the same in all three, so that the decision as to the meaning of the word "étranger" in the former laws holds good for that of the 26th June, 1889, also.

A copy and translation of the Decree of the Court of Cassation referred to, dated the 7th December, 1891 (Inclosure No. 4), is herewith inclosed.

I have, however, been informed by the Minister for Foreign Affairs that a Bill will be presented to the Chambers to modify the interpretation placed by the "Cour de Cassation" on the third paragraph of Article 8 of the Civil Code, as modified by the Law of the 26th June, 1889, as regards the nationality of individuals born on French soil of a foreign father but of a French-born mother, and that, in the meantime, the Minister of War has consented to delay the enrolment of such young men of "foreign origin" as would, according to the interpretation affixed to the Nationality Law by the Court of Cassation, be called upon to serve in the French army this year.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure 1 in No. 5.

Nationality Law of June 26, 1889.

(Translation.)

THE Senate and the Chamber of Deputies have adopted,

The President of the Republic promulgates the Law which follows:—

Article 1. Articles 7, 8, 9, 10, 12, 13, 17, 18, 19, 20, and 21 of the Civil Code are modified as follows:

“Article 7. The exercise of civil rights is independent of the exercise of political rights, the which are acquired and preserved according to the prescriptions of the Constitutional and Electoral Laws.

“Art. 8. Every French citizen shall enjoy civil rights; French citizens are—

“1. Every individual born of a French father (*‘d’un Français’*) in France or abroad. A natural child, whose affiliation is determined during minority by recognition or by legal judgment, follows the nationality of that parent in respect of whom proof has first been established. If the same act or the same judgment establish it for father and mother simultaneously, the child follows the nationality of the father.

“2. Every individual born in France of unknown parents, or of parents whose nationality is unknown.

“3. Every individual born in France of a foreigner also born there.

“4. Every individual born in France of a foreigner, who at the attainment of his majority is domiciled in France, unless within the year which follows his majority, as regulated by the provisions of French law, he has declined the status of French citizen, and proved that he has retained the nationality of his parents by a certificate in due form from his Government, which shall be kept attached to his declaration, and unless he has also produced, where such exists, a certificate showing that he has responded to the call to join the flag in conformity with the military law of his country, excepting always the cases provided for by Treaties.

“5. Naturalized foreigners.

“Naturalization may be obtained by—

“1. Foreigners who have acquired a domicile in France in conformity with the provisions of Article 13, *infra*, after three years of domicile in France, dating from the registration of their application at the Ministry of Justice.

“2. Foreigners who can prove a continued residence during ten years.

“Assimilated to residence in France is a sojourn in foreign countries for the exercise of a function conferred by the French Government.

“3. Foreigners admitted to establish their domicile in France, after one year, if they have rendered important services to France, if they are distinguished for their talents, if they have introduced either an industry or an invention of utility, if they have founded industrial or other establishments, or agricultural enterprises, or if they have been attached, in whatsoever capacity, to the military service in the Colonies or the Protectorates of France.

“4. Any foreigner who has married a French woman; also after one year of authorized domicile.

“The application for naturalization is determined by Decree, after investigation into the moral conduct of the foreigner.

“Art. 9. Every individual born in France of a foreign parent, and not domiciled there at the time he attains his majority, may, up to the time of his completing his 22nd year, apply for a domicile in France, and if he establish it there within a year counted from the formal application, claim the status of French citizen by a declaration which shall be registered at the Ministry of Justice.

“If he be under the age of 21 full years, the declaration shall be made in his name by his father; in case of the decease of the latter, by his mother; in case of the decease of father and mother, or if the child be withdrawn from their care, or in the cases contemplated in Articles 141, 142, and 143 of the Civil Code, by the guardian authorized by resolution of the family council.

“He also becomes a French citizen if, after having been borne on the census lists, he submits to the obligation of joining the colours without raising the question of his foreign nationality.

“Art. 10. Every individual born in France or abroad of parents, one of whom has lost the status of French citizen, may claim this status at any age, according to the conditions fixed by Article 9, unless, being domiciled in France, and called to join the colours on attaining majority, he has established his status as a foreigner.

"Art. 12. A foreign woman who has married a Frenchman follows the status of her husband.

"A woman married to a foreigner who becomes naturalized in France, and the children already of full age of the naturalized foreigner, may, if they demand it, obtain the status of French citizens, unconditioned by term of residence, either under the Decree which confers this status on the husband, or on the father, or on the mother, or, in consequence of a declaration made by them in the terms and under the conditions prescribed by Article 9.

"Children under age of a father, or of a mother surviving her husband, who becomes naturalized a French citizen, become French citizens, unless, within the year after their attaining majority, they decline this status in conformity with the dispositions of Article 8 (section 4).

"Art. 13. A foreigner authorized by Decree to fix his domicile in France, shall enjoy all civil rights there.

"The authorization shall lose effect after the expiration of five years, if the foreigner does not apply for naturalization, or if the application is rejected.

"In case of decease before naturalization, the authorization and the term of residence following thereon shall count in favour of the wife, and of the children who were minors at the moment of the Decree of authorization.

"Art. 17. The following lose the status of French citizen:—

"1. The French citizen naturalized abroad, or who has acquired, upon his request, a foreign nationality in accordance with the law of the land.

"If he be still under obligation to perform military service in the active army, his naturalization abroad can only make him lose his status as French citizen, if it has been authorized by the French Government.

"2. The French citizen who has refused French nationality in the cases contemplated in paragraph 4 of Article 8, and in Articles 12 and 18.

"3. The French citizen who, having accepted a public function conferred by a foreign Government, continues in such employ in spite of an injunction from the French Government to resign the office within a fixed term.

"4. The French citizen who, without the authorization of his Government, takes military service abroad; this shall not affect the action of the penal laws in force against a French citizen who evades the obligations of military service.

"Art. 18. The Frenchman who has lost the status of French citizen can recover it, provided he resides in France, by obtaining reinstatement by Decree. The status of French citizen may be accorded by the same Decree to the wife and the children of full age, upon their application. The infant children of a father or mother thus reinstated, become French citizens unless, within the year following the attainment of their majority, they decline this status, in conformity with the prescriptions of Article 8 (section 4).

"Art. 19. The French woman who marries a foreigner follows the status of her husband, unless her marriage does not confer upon her the nationality of her husband, in which case she remains French. If her marriage be dissolved by her husband's decease, or by divorce, she recovers French nationality with the authorization of the Government, provided she resides in France, or returns there and makes a declaration that she desires to be domiciled there.

"When the marriage is dissolved by the decease of the husband, the status of French citizen may be accorded by the same Decree of reinstatement to the infant children upon the mother's application, or by a subsequent Decree, if the application be made by the guardian with the approval of the family council.

"Art. 20. Individuals who acquire the status of French citizen in the cases contemplated in Articles 9, 10, 18, and 19, can only take advantage thereof in respect of rights accruing to their benefit thereafter.

"Art. 21. The French citizen who, without the authorization of the Government, shall enter military service abroad, can only re-enter France by means of an authorization granted under Decree, and can only recover French nationality by fulfilling the conditions imposed in France on foreigners for obtaining ordinary naturalization."

Art. 2. The present Law is applicable to Algeria, and to the Colonies of Guadeloupe, Martinique, and Réunion.

The Senatus-Consultum of the 14th July, 1865, and the other special Regulations for obtaining naturalization in Algeria, will, however, remain in force.

Art. 3. The naturalized foreigner shall enjoy all civil and political rights attaching to the status of French citizen. Nevertheless, he is not eligible for membership of the

Legislative Assemblies until ten years after the Decree of Naturalization, unless this term is shortened by a special Law. It may be reduced to one year.

Frenchmen who recover this status after having lost it, immediately acquire all civil and political rights, including also eligibility to the Legislative Assemblies.

Art. 4. The descendants of families proscribed at the time of the revocation of the Edict of Nantes, shall continue to benefit by the provisions of the Law of the 15th December, 1790, but in virtue of a special Decree for each applicant. This Decree has no retrospective effect.

Art. 5. For the execution of the present Law a public administrative Decree shall determine, (1) the conditions under which these Regulations shall be applicable in Colonies other than those specified in Article 2 as above, as well as the forms to be followed for naturalization in the Colonies; (2) the formalities to be fulfilled and the particulars to be supplied in cases of ordinary naturalization and naturalization by favour, in the cases contemplated in Articles 9 and 10 of the Civil Code, as well as in cases of renunciation of the status of French citizen in the cases contemplated by Articles 8 (section 4), 12, and 18.

Art. 6. The Decrees of the 6th April, 1809, and 26th August, 1811; the Laws of the 22nd March, 1849, 7th February, 1851, 29th June, 1867, 16th December, 1874, 14th February, 1882, 22nd June, 1883; and all provisions contrary to the present Law, are abrogated.

Transitory Provisions.

Authorizations of domicile obtained before the present Law, shall terminate if, within a delay of five years from their promulgation, they have not been followed by an application for naturalization, or if such application has been refused.

The present Law, deliberated on and adopted by the Senate and the Chamber of Deputies, shall be carried into execution as a Law of the State.

Done at Paris, the 26th June, 1889.

(Signed) CARNOT.

The Minister of Justice,
(Signed) THÉVENET.

Inclosure 2 in No. 5.

Extract of Articles from Civil Code.

(Translation.)

ARTICLE 11. A foreigner enjoys in France the same civil rights as those which are or shall be accorded to French citizens by Treaties with the nation to which such foreigner may belong.

Article 14. A foreigner, even though he does not reside in France, can be summoned before a French Tribunal to insure the execution of obligations which he has contracted in France with a French citizen; he can be brought before the French Courts of Justice on account of obligations which he has contracted towards French citizens in a foreign country.

Article 15. A French citizen can be brought before a French Court of Justice on account of obligations which he has contracted in a foreign country, even towards a foreigner.

Article 16. In all cases, other than commercial ones, the foreigner who is a plaintiff will have to find security for the payment of the costs and damages which may result from the trial, unless he may possess real property in France of sufficient value to insure this payment.

Inclosure 3 in No. 5.

Decree specifying the Administrative Regulations for the execution of the Law of June 26, 1889, on Nationality.

(Translation.)

Paris, August 16, 1892.

THE President of the French Republic,

On the report of the Guardian of the Seals ("Garde des Sceaux"), Minister of Justice and Public Worship,

In respect of the Law of the 26th June, 1889, on nationality, and especially of Article 5, conceived as follows:—

"1. . . .

"2. The formalities to be accomplished and the guarantees to be given in connection with ordinary naturalization, or naturalization by favour in the cases contemplated in Articles 9 and 10 of the Civil Code, as well as for the renunciation of the status of French citizen, in the cases contemplated in Articles 8 (section 4), 12, and 18;"

Having consulted the Council of State,

Decrees :

Article 1. The foreigner who desires to obtain the authorization to fix his domicile in France, in conformity with Article 13 of the Civil Code, must address to the Minister of Justice a request drawn up on stamped paper, accompanied by his birth certificate, and that of his father, by a translation of these documents, if they are in a foreign language, as well as by an extract from the judicial certificate of conduct kept by the police authorities ("casier judiciaire").

Art. 2. The foreigner desirous of obtaining nationality must, in every case, address his application to the Minister of Justice on stamped paper, inclosing his birth certificate, and extract from the judicial police certificate, and where there is occasion his marriage certificate, and the birth certificates of his infant children, with a translation of these documents if they are in a foreign language.

In cases where the parties interested are unable to procure the documents relative to civil status which the present Decree requires them to produce, these documents shall be replaced by an affidavit of custom made out by the Justice of the Peace ("acte de notoriété délivré par le Juge de Paix"), in the form prescribed by Article 71 of the Civil Code.

Art. 3. A foreigner who has married a French woman must, if he desire to obtain naturalization after one year's domicile, produce his wife's birth certificate, and that of her father, if this certificate is necessary to establish the fact of her French origin.

Art. 4. The foreigner who, after an uninterrupted residence of ten years, desires to become immediately naturalized, must join to his petition documents establishing that he is actually resident in France, and that he has resided there for ten years.

Art. 5. The wife, and children of full age, of the foreigner who desires to become a French citizen, either by ordinary naturalization or by reintegration, must, if they themselves desire to obtain the status of French citizens, without the condition of the probationary term of residence, by virtue of the 12th and 18th Articles of the Civil Code, join their petition for naturalization to the petition which has been made by the husband, father, or mother.

In the cases of naturalization by favour provided for by the 9th and 10th Articles of the Civil Code, the petition is annexed to the declaration made by the husband, father, or mother.

Art. 6. Declarations drawn up, either for the purpose of acquiring or repudiating the status of French citizens, are to be sent to the Justice of the Peace of the Canton in which the declarant resides.

They can be made by special and authentic power of attorney. They are addressed in duplicate on stamped paper. The declarant must be attended by two witnesses to attest to his identity; he must produce in support of his declaration all the necessary justifications, adding to it his birth certificate, and, where there is occasion, his marriage certificate, and the birth certificates of his children not of full age, together with a translation of these documents should they be in a foreign language.

In the event of residence abroad, the declarations are to be sent to the Diplomatic Agents or Consuls.

Art. 7. The two copies of the declaration and the document connected with the case are at once transmitted by the Justice of the Peace to the Attorney-General of the Republic, who forwards them without delay to the Minister of Justice.

Art. 8. The declaration is entered in a special register in the Chancery; one of the copies is placed in the archives, and the other is sent to the person interested, together with the announcement of the registration.

The registered declaration dates from the day of its receipt by the Justice of the Peace.

Art. 9. When an individual born in France of a foreign parent, and domiciled out of France at the time of his majority, wishes to enter into a recognizance to fix his domicile in France under the conditions provided by the 9th Article of the Civil Code, this deed of recognizance must be sent to one of the Diplomatic or Consular Agents abroad. It must be addressed in duplicate; one of the copies is returned to the person

interested, the other is immediately transmitted to the Minister of Justice through the official channel.

Art. 10. A person born in France of parents, of whom one has lost the status of a French citizen, and who claims this status by virtue of the 10th Article of the Civil Code, must establish where his domicile and that of his parents was at the time of his majority, as it is determined by French law.

Art. 11. The renunciation of a minor to the right, which belongs to him by virtue of Articles 8 (section 4), 12, and 18 of the Civil Code, to decline, on attaining his majority, the status of a French citizen, should be made in his name by the persons designated in Article 9 (section 2) of the Civil Code.

Art. 12. The Guardian of the Seals, Minister of Justice and Public Worship, is charged with the execution of the present Decree, which will be inserted in the "Journal Officiel" and the "Bulletin des Lois."

Done at Paris, the 13th August, 1889.

(Signed) CARNOT.

Guardian of the Seals,
Minister of Justice,
(Signed) THÉVENET.

Inclosure 4 in No. 5.

Decision of Court of Cassation of December 7, 1891, as to Sentence of the "Tribunal de la Seine" of February 7, 1891, confirmed by the "Cour d'Appel de Paris," June 2, 1891, on the Appeal of the Minister of War.

(Translation.)

THE Court,

Upon the sole plea of the appeal (to Cassation), based on a false application of Article 1 of the Law of the 7th February, 1851, to wit, that the Judgment attacked was wrong in considering that the expression "of a foreigner" ("d'un étranger") which is found in this Article, may apply either to the father or to the mother of the child who claims the status of French citizen;

Seeing that it results from the provisions of Article 1 of the Law of the 7th February, 1851, taken in combination with the Law of the 16th December, 1874, that every individual born in France of a foreigner who has also been born there must be considered a French citizen; that there is nothing in this text to imply a necessity that the father and mother of this individual must both have been born in France, or that it should be rather the father than the mother who satisfies this condition; that, consequently, the right of claiming the status of French citizen cannot be refused to an individual born in France of a mother also born there;

Seeing that it results from the statements made in the Judgment attacked that Hess was born in France, where his mother was also born, that, far from repudiating the status of French citizen on attaining his majority, he has, in all his acts, and, notably, in performing his military service, manifested a consistent desire to preserve the nationality now contested; that, under these circumstances, the Judgment attacked has only made a just application of the Laws above mentioned;

On these grounds rejects, &c.

GERMANY.

No. 6.

Mr. Trench to the Earl of Rosebery.—(Received November 21.)

My Lord,

Berlin, November 17, 1892.

IN reply to your Lordship's Circular of the 13th ultimo, I have the honour to transmit to your Lordship herewith an able Report which has been drawn up by Mr. Conway Thornton, and to which he has devoted much time and study, upon the subject of the Laws in force in Germany relating to nationality and naturalization.

Annexed to this Report are also copies and translations of the Laws in question.

I have duly taken note of the instruction in your Lordship's Circular despatch above referred to, stating that any changes in the existing law should be reported as they occur.

I have, &c.

(Signed) P. LE POER TRENCH.

Inclosure in No. 6.

Report upon the Laws of Nationality and Naturalization in Germany.

ARTICLE 3 of the Constitution of the German Empire of the 16th April, 1871, runs to the effect that a common right of nationality obtains for the whole of Germany, in virtue of which a subject of any one of the Federal States is to be treated in any other upon the same footing in every respect as natives of the latter.

This fundamental provision, that Imperial nationality, as such, has no independent existence, but is indissolubly bound up, whether as regards its acquisition or its loss, with nationality in one or another of the Federal States, has had for result a uniform regulation of the matter throughout the Empire.

The Law governing all questions of this nature is dated the 1st June, 1870, and was enacted originally for the North German Union only, but was subsequently extended to the whole of the German Empire. All other special Laws promulgated by the individual Federal States, including Prussia, have been repealed.

Under this Law, a translation of which is given *in extenso* below, nationality in any one State is acquired—

1. Indirectly—

- (a.) Through descent (not through adoption) from the lawful father or from the unmarried mother;
- (b.) Through legitimation;
- (c.) In the case of a wife, through her lawful marriage.

2. Directly, through bestowal. This is conferred in virtue either of a certificate issued by the Supreme Executive Power, or, with equal efficacy, of admission into Imperial State service. It is known as "reception" ("Aufnahme") in the case of a person already a subject of the Empire; otherwise it is called "naturalization."

"Reception" can only be denied under conditions similar to those limiting the right of settlement and of change of abode within the Empire. For "naturalization," on the other hand, it is essential that the applicant should be legally qualified to dispose of property, and be of good reputation; further, that he be able to find dwelling-room and means of subsistence for himself and those dependent upon him in the place of residence selected. Upon this latter point the Communal and Poor Law authorities interested are to be consulted if necessary.

Nationality is lost—

1. Indirectly, through legitimation by a non-German father, and, in the case of a woman, through marriage with a non-German.

2. Involuntarily, as the consequence of an unbroken residence of ten years abroad, without the possession of a passport or certificate of nationality; by sentence of the Central Government of the State to which the defaulter belongs, in case of neglect to return when called upon to do so in time of war; or by reason of unauthorized entry into the service of a foreign State, or of unauthorized performance of ecclesiastical functions. (See also the Law of the 4th May, 1874, §§ 1-4, of which a translation is given below, and which bears upon this latter point.)

3. Through release on application, to be sanctioned by a certificate granted by the Central Executive Power, and which is only to be denied under conditions limited to the question of the due discharge of military obligations.

With respect to liability to military service, the following sections (11 and 60) of the Imperial Military Law of the 2nd May, 1874, refer to considerations of nationality:—

“§ 11. Persons who have left the territory of the Empire and have thus lost their German nationality, but who have not acquired a nationality in any foreign State, or who, having acquired such, have subsequently lost it again, are liable, should they resume a permanent residence in the Empire, to payment of substitution-money, and can be drawn for, but may not be detained in actual service after the completion of their 31st year.

“The same applies to sons of persons who have emigrated and subsequently returned to Germany, provided that these sons have not acquired a foreign nationality.

“The foregoing provisions similarly apply to persons having emigrated who have indeed acquired a foreign nationality, but have resumed their German nationality prior to the completion of their 31st year.”

“§ 60. Officers and commissioned members of the Army Medical Staff, being on furlough, can only be released from nationality in their respective States with the consent of the military authorities, unless they can show that they have been naturalized in some other one of the Federal States.

“Officers and commissioned members of the Medical Staff of the army, being on furlough, who emigrate from the territory of the Empire without permission, are punishable with fines up to 3,000 marks (150*l.*), or with arrest or imprisonment for a term not exceeding six months.”

A Treaty between the North German Confederation and the United States was concluded on the 22nd February, 1868, the substance of its principal provisions being as follows:—

Naturalization of German subjects in the United States, after a residence there of five years, to be recognized by Germany, and, reciprocally, the same as regards United States' citizens naturalized in Germany.

German subjects naturalized in the United States, but renewing their residence in Germany with the intention not to return to the United States (such intention being presumed to exist in case of a renewed residence in Germany of more than two years), to be held to have renounced their naturalization in the United States, and to have regained their German nationality. The same applies, reciprocally, to the case of United States' citizens returning to their country of origin after naturalization in Germany.

The foregoing may be held to constitute the entire legislation now obtaining in Germany concerning nationality and naturalization. No legislative regulations or decisions of the Courts affecting the question at issue have, I am informed on the authority of Dr. Weber, Legal Adviser to Her Majesty's Embassy, been published.

(Signed)

C. CONWAY THORNTON.

Berlin, November 18, 1892.

Annexes.

1. Law of the 1st June, 1870 (translation).
 2. Law of the 4th May, 1874 (translation).
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Annex 1.

*An Act regulating the acquisition and loss of Citizenship in the Confederation and the States,
dated June 1, 1870.*

(Translation.)

§ 1. THE citizenship of the Confederation is acquired by citizenship of one of the States of the Confederation, and ceases with the loss of the latter.

§ 2. Citizenship of a State of the Confederation is established hereafter only—

- (1.) By descent (§ 3).
- (2.) By legitimation (§ 4).
- (3.) By marriage (§ 5).
- (4.) For North Germans by admission (§ 6 ff).
- (5.) For aliens by naturalization (§ 6 ff).

Adoption alone does not have this effect.

§ 3. By birth, even if it occurs abroad, legitimate children of a North German acquire the citizenship of their father; illegitimate children of a North German the citizenship of their mother.

§ 4. If the father of an illegitimate child is a North German, and the mother does not possess the citizenship of the father, the child acquires the citizenship of his father by legitimation according to law.

§ 5. Marriage to a North German confers upon the wife the citizenship of her husband.

§ 6. Admission and naturalization (§ 2, Nos. 4 and 5) are conferred by a certificate issued by the higher administrative authority.

§ 7. The certificate of admission is issued to every citizen of another State of the Confederation who applies for the same, and proves that he has taken up his residence in the State of the Confederation in which he applies for admission, provided there appears no fact which would justify the refusal of a new settler, or the denial of continuation of residence according to §§ 2 to 5 of the Law concerning the liberty of emigration and settlement of the 1st November, 1867 ("Bundesgesetzblatt," p. 55).

§ 8. The certificate of naturalization may be issued to aliens only if—

(1.) According to the laws of their country, they are capable of managing their own affairs, unless their deficiency in this respect is supplied by the consent of the father, guardian, or curator.

(2.) They have led an irreproachable course of life.

(3.) They find at the place where they want to establish themselves a residence of their own or lodgings.

(4.) They are able at this place, according to the circumstances there existing, to support themselves and their family.

Before granting the certificate of naturalization, the higher administrative authority shall hear the Municipality or the overseer of the poor respectively of the place where the person to be naturalized intends to settle, regarding the requirements under Nos. 2, 3, and 4.

§ 9. Letters patent issued or confirmed by the Government or by a central or higher administrative authority of a State of the Confederation for an alien or citizen of another State of the Confederation who has been received into the indirect or direct State service, or church, school, or communalty service, take the place of the certificate of naturalization, or the certificate of admission respectively, unless a contrary reservation is expressed in the letters patent.

If a foreigner has been appointed to an office within the service of the Confederation, the person so appointed acquires the citizenship of that State of the Confederation in which he has his official residence.

§ 10. The certificate of naturalization or the certificate of admission respectively confers from the moment it is handed over all rights and duties connected with citizenship.

§ 11. The grant of citizenship extends unless an exception is made therewith at the same time to the wife and the minor children who are still in custody of the father.

§ 12. Domicile in one of the States of the Confederation does not for itself alone confer citizenship of that State.

§ 13. Citizenship is lost hereafter only—

(1.) By discharge on motion (§ 14 ff).

(2.) By decision of the authorities (§§ 20 and 22).

(3.) By ten years' residence in a foreign country (§ 21).

(4.) To illegitimate children by legitimation effected according to the provisions of law, if the father belongs to another State than the mother.

(5.) To a North German woman by her marriage to a citizen of another State of the Confederation, or to a foreigner.

§ 14. Discharge is granted by a certificate of discharge issued by the higher administrative authority of the native State.

§ 15. Discharge is granted to every citizen upon proof that he has acquired citizenship in another State of the Confederation.

In default of such proof it shall not be granted—

(1.) To persons subject to military duty between the ages of 17 years complete and 25 years complete unless they can produce a certificate of the Recruiting Commission of the district ("Kreis-Ersatz-Kommission") that they do not ask for the discharge merely for the purpose of avoiding military duty in the standing army or in the navy.

(2.) To persons who belong to the standing army or to the navy, to officers of the class "on furlough," and to civil officers, before they are discharged from service.

(3.) To persons who are not employed as officers, and who belong to the reserve of the standing

army and to the "Landwehr," or belonging to the reserve of the navy and to the "Seewehr," after they have been called in to perform active service.

§ 17. For other causes than those stated in §§ 15 and 16 discharge is not to be denied in times of peace. In time of war, or danger of war, it is reserved to the Presidency of the Confederation to decree special rules.

§ 18. The certificate of discharge entails from the moment it is handed over the loss of citizenship.

The discharge becomes ineffective if the person discharged does not within six months from the day the certificate of discharge is handed over to him change his residence to a place outside of the territory of the Confederation, or acquires the citizenship of another State of the Confederation.

§ 19. The discharge extends, unless an exception is made therewith, at the same time to the wife and to the minor children, who are still in the custody of the father.

§ 20. North Germans residing in a foreign country can be declared to have forfeited their citizenship by resolution of the central authority of their native State, if in case of war, or danger of war, they do not obey an express summons to return, to be made by the Presidency of the Confederation for the whole territory of the Confederation.

§ 21. North Germans who leave the territory of the Confederation, and reside during ten years uninterruptedly in a foreign country, thereby lose their citizenship. The aforesaid term is to be calculated from the moment the territory of the Confederation is left, or, if the person leaving is in possession of a passport or certificate of nativity, from the moment these papers cease to be valid. It is interrupted by entry in the register of matriculation of a Consulate of the Confederation. Its course commences anew with the day following the cancelling of the entry in such register of matriculation.

The loss of citizenship thus occasioned extends at the same time to the wife and to the minor children who are in the custody of the father, in so far as they reside with the husband or father respectively. For North Germans who reside in a foreign State during at least five years uninterruptedly, and there acquire citizenship, the term of ten years may be reduced by Treaty to five years, without distinction as to whether these parties are in possession of a passport or a certificate of nationality or not.

To North Germans who have lost their citizenship by ten years' residence in a foreign country, and have not acquired another citizenship, the citizenship of their former native State can be granted afresh, even if they do not settle there.

North Germans who have lost their citizenship by ten years' residence in a foreign country, and thereafter return into the territory of the North German Confederation, may acquire citizenship in that State of the Confederation in which they may have settled, by a certificate of admission issued by the higher administrative authority, which must be granted to them on application.

§ 22. If a North German, without permission of his Government, enters the service of a foreign State, the central authority of his native State can declare by resolution that he has forfeited his citizenship if he does not obey an express summons to resign within the time specified therein.

§ 23. If a North German is in the service of a foreign Power with the permission of his Government, his citizenship is retained.

§ 24. Certificates of admission, and, in the cases specified in § 15, section 1, certificates of discharge, are granted free of cost.

For certificates of discharge in other cases than those named in § 15, section 1, not more than 3 marks at most may be charged for stamp fees and draft fees.

§ 25. For persons residing in a foreign country at the date of enactment of this Law, being citizens of those States of the Confederation according to the laws of which citizenship is lost by a ten years' or longer existence in a foreign country, the course of such term is not interrupted by this Law. For citizens of other States of the Confederation the course of the term specified in § 21 begins with the date on which this Law takes effect.

§ 26. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 27. This Act shall take effect on the 1st January, 1871.

Annex 2.

An Act for the prevention of the illegal assumption of Ecclesiastical Functions, dated May 4, 1874.

(Translation.)

§ 1. IF any clergyman or other minister of religion who has been dismissed from office by judgment of the Court subsequently so acts as to make it appear that he claims the continuance of the office taken from him, a residence in certain districts or places can be denied or assigned to him by order of the central police authorities ("Landes-Polizei-Behörde").

If the act consists in the express usurpation of the office, or in the actual performance of the same, or if the said Minister contravenes the order of the central police authority issued in his case, the central authority of his native State may declare by order that he has forfeited his citizenship, and he may be expelled from the territory of the Confederation.

§ 2. The Rules of § 1 apply also to those persons who have been convicted and sentenced for performance of an ecclesiastical office which has been conferred upon them, or has been accepted by them contrary to the laws of the State.

§ 3. In the order (§§ 1 and 2) the reasons of the measure prescribed are to be stated. If the party concerned claims that he has not done the acts charged to him, or that the facts of the case do

not answer to those stated in § 1, an appeal to a judicial hearing is open to him within eight days after service of the order. In those States of the Confederation where there exists a special Court for ecclesiastical affairs composed of permanent members, this Court has jurisdiction; in the other States of the Confederation, the Supreme Criminal Court.

The Court decides whether the party appealing has committed one of the acts specified in § 1. If the Court finds that no act has been committed of the kind recognized under this Law as affording grounds for such an order as the one appealed against, that order must be revoked by the authority who made it.

The appeal must be transmitted to the Court having jurisdiction, after having been signed by the person appealing, and his signature verified by a Court or Notary.

In respect of procedure, the rules apply which are in force with the Court having jurisdiction. Necessary changes and supplements of the same can be fixed by the Court until settled by law. The terms prescribed by law for the continuance of the proceedings may be shortened at the option of the Court.

Execution of the order appealed from is stayed on appeal only, if the loss of citizenship has been decreed thereby.

In this case, and until the decision of the Court, a residence in certain districts or places may be denied or assigned to the party appealing.

§ 4. Persons whose citizenship has been declared forfeited according to the prescriptions of this Law in one of the States of the Confederation forfeit the same also in every other State of the Confederation, and cannot acquire afresh citizenship in any State of the Confederation without the consent of the Federal Council.

BAVARIA AND WURTEMBERG.

No. 7.

Mr. Drummond to the Earl of Rosebery.—(Received January 2, 1893.)

My Lord,

Munich, December 18, 1892.

IN accordance with the request contained in your Lordship's despatch Circular of the 13th October last with regard to the transmission to your Lordship of all information that I could obtain in regard to the laws in force in Würtemberg and Bavaria relating to nationality and naturalization, particularly as to the exact effect of the laws as regards foreigners, and the nature of decisions of the Courts which may affect their interpretation, I have the honour to inform your Lordship that the laws in question in Würtemberg and Bavaria are decided upon the basis of the Imperial German Law of the 1st June, 1870, which regulates the acquirement or loss of nationality and naturalization. There are no separate laws.

As, therefore, these laws will undoubtedly be furnished to your Lordship from Her Majesty's Embassy at Berlin, together with all other information requested by your Lordship's Circular despatch, I imagine that your Lordship will not deem it necessary that duplicates should be forwarded from Würtemberg and Bavaria.

I inclose, however, replies in translation, which I have received from the Würtemberg and Bavarian Ministries for Foreign Affairs to my request to be furnished with the information which your Lordship instructed me to transmit.

In the reply from the Würtemberg Ministry for Foreign Affairs, Baron von König is good enough to inclose me a copy of the Decree of the Minister of the Interior, issued in 1881 to the Provincial Governments and the King's Higher Local authorities, for their guidance in the interpretation of the German Imperial Law of 1870.

After receiving the reply of the Bavarian Minister for Foreign Affairs, I thought that I might be able to find some points of interests in the decisions of the Bavarian Courts as regards foreigners, and I therefore applied personally to Baron de Feilitzsch, the Minister of the Interior, to inform me thereupon.

His Excellency has now sent me his answer in the form of a Memorandum, a translation of which I have the honour to inclose herewith, together with a small work upon the administration and execution of the German Imperial Laws as far as concerns the Bavarian authorities, in which his Excellency refers particularly to pp. 16, 40, and 79. On p. 16 is the Imperial German Law of the 1st June, 1870. On p. 40 is the Bavarian Ministerial Decree of the 9th May, 1871, founded upon the German Imperial Law, and from which I inclose herewith, in translation, the principal paragraphs which bear more especially on nationality and naturalization. On p. 79 is the Treaty between Bavaria and the United States of the 26th May, 1868, respecting emigrants and their naturalization.

From inquiries I made at Stuttgart there appeared to be no decisions of interest in cases of foreigners.

The real position and requirements of the laws on nationality and naturalization are, as I have above observed, the same in Bavaria and Würtemberg, and these are clearly set forth in the Decree of the Würtemberg Minister of the Interior.

I have, &c.

(Signed) VICTOR DRUMMOND.

Inclosure 1 in No. 7.

Baron von König to Mr. Drummond.

(Translation.)
Sir,

*Ministry for Foreign Affairs, Stuttgart,
October 28, 1892.*

I HAVE the honour, in reply to your esteemed note of the 19th instant, concerning the legislation in force in the Kingdom of Würtemberg on the subject of nationality, to communicate the following after due consultation with the Ministry of the Interior.

The acquisition or loss of Würtemberg nationality is, in the first place, decided on

the basis of Imperial German Law, and in particular the Law of the 1st June, 1870, respecting the acquisition and loss of German Federal and State nationality.

In the year 1889, Dr. W. Cahn issued a full and extensive commentary upon this Law: "The Imperial Law respecting the acquisition and loss of the German Federal and State nationality of the 1st June, 1870," published by D. Kollin (F. Guttentag's successor), Berlin and Leipzig.

Next to the Imperial Law, the following sections of the Würtemberg Law must be considered, viz., the Convention between Würtemberg and the United States of America of 1868 concerning the nationality of emigrants and immigrants ("Government Gazette" of 1872, p. 172) and also the Decree of the Royal Ministry of the Interior of the 31st January, 1881, concerning the naturalization of foreigners.

I have the honour to forward herewith a transcript of the last-named document. The Convention above mentioned is to be found in the same work of Cahn's, p. 173.

I avail, &c.

(Signed) Baron von KÖNIG,
Councillor of State in place of the Minister
for Foreign Affairs.

Inclosure 2 in No. 7.

Baron de Crailsheim to Mr. Drummond.

(Translation.)

Munich, November 6, 1892.

THE Right Honourable the Minister Resident of Great Britain has, in his esteemed note of the 19th ultimo, expressed the wish to be informed what the Bavarian laws are in respect to nationality and naturalization.

I have the honour then to state that the laws of Bavaria are the same as in all other German States. Imperial law governs them since the 1st June, 1870, and regulates the acquirement or loss of nationality; further in this respect there are no separate laws.

The Undersigned, &c.

(Signed) Baron DE CRAILSHEIM.

Inclosure 3 in No. 7.

Decree of the Ministry of the Interior issued to the Provincial Governments, the Municipal Government of Stuttgart, and the King's Higher Local Authorities concerning the Naturalization of Foreigners of January 31, 1881.—No. 8384 of 1880.

(Translation.)

HAVING taken into consideration from various reports received, that the provincial authorities have acted on somewhat divergent principles in regard to the Imperial Law of the 1st June, 1870, concerning the acquisition and loss of German Federal and State nationality ("Government Gazette" of 1871, Appendix to No. 1, p. 26), and having taken into consideration that great inconveniences arise from the naturalization of foreigners who have not yet been released from their previous ties of nationality, or, again, have not taken up their permanent residence in Würtemberg, the Ministry finds it desirable to rescind the Decree of the 24th January, 1828 (para. 378), and to promulgate the following instructions concerning the practical application of para. 8, the one in question:—

1. The provincial authorities must enforce the following regulations previous to granting naturalization:—

(1.) The person to be naturalized must have taken up his permanent (not merely temporary) abode in Würtemberg at the time of his presenting his application.

This stipulation, however, is not insisted on in the cases of those exceptions defined by the Imperial Law of the 1st June, 1870 (para. 21, section 4), and by the Imperial Law of the 20th December, 1875, concerning the naturalization of foreigners who have entered the Imperial service. ("Imperial Gazette," p. 324.)

In other cases, and in particular in cases of renaturalization of former Würtemberg

subjects other than those coming under para. 21, section 4 of the Law, whenever pressing grounds are exceptionally put forward for granting the naturalization even before residence is taken up in Württemberg, the decision of the Ministry on this point must be taken.

(2.) The person to be naturalized must, in accordance with para. 19 of the Constitution, have already obtained from a given Württemberg Commune the provisional promise of the grant of communal citizenship.

(3.) He must also have presented the proofs required by para. 8 of the Imperial Law of the 1st June, 1870 (para. 1-4), and especially those proving an irreproachable life, by means of certificates granted by his former communal authorities and by the communal authorities of his place of residence at the time of application.

The Communal Council, as well as the Poor Law authorities of the future place of residence, are to be heard as to the applicant possessing well-attested means of supporting himself, a point which is essential. (Para. 8, section 4.)

(4.) Proof must be produced that the applicant for naturalization has been already released from his previous nationality, or will be at once so released in case he is naturalized, or, at any rate, will lose his former nationality through his naturalization in Württemberg according to the law of the country to which he previously belonged.

Subjects of the kingdoms and countries represented in the Austrian Parliament (*i.e.*, all countries belonging to the Austro-Hungarian Monarchy except Hungary, Transylvania, Croatia, Slavonia, and the Military Frontier) can only be naturalized in Württemberg when they can produce a certificate signed by an Austrian political authority (Statthalter or Provincial Government), or by a district official in the name of such authority, to the effect that the applicant is released from his Austrian allegiance. It is further to be remarked that such certificates are only valid for the person named therein, and whose age is therein stated.

Citizens of the United States of North America who have uninterruptedly resided for five years in Württemberg, and Württemberg subjects who have been naturalized in the United States, and who have since resided for two years in Württemberg (compare Article I and IV of the Convention of the 27th June, 1868, between Württemberg and the United States, published by Royal Decree of the 16th April, 1872, in the "Government Gazette," p. 172, and also a concluding Protocol of the 27th July, 1868) can be naturalized without further proof of their being released from their previous nationality.

In so far as, in other cases than those above mentioned, exceptions from the stipulations laid down in para. 4, section 1, appear allowable for special reasons, a report must be made thereupon to the Ministry, whose decision will be taken on the point raised.

2. The Royal Stuttgardt Municipality and the higher local authorities must carefully examine and see that the requisite stipulations are fulfilled in regard to all naturalization applications.

The question of the performance of the military duties of the immigrant must also be kept in view, and wherever necessary report made thereon by the local authority to the Provincial Government. (See para. 19 of the Reserve Decree, Part I of the Defence Decree of the 28th September, 1875, "Government Gazette," Appendix to No. 35, p. 10.)

Further, in cases where the applicant is married, or had previously been married, he must produce, either on presenting his application, or at any rate before the certificate of naturalization is granted, the necessary proofs from the parish register (see para. 5) for the registration of his family, in accordance with para. 9 of the Ministerial Order of the 2nd June, 1880, concerning the keeping of family registers and the reports to be made concerning changes in civil status ("Government Gazette," p. 147), in which the official statements to be made to the Civil Magistrature are laid down.

3. After the naturalization is granted, the local official shall hand over the certificate of naturalization to the applicant as against a proper receipt, and shall communicate officially the act to the Communal authorities of the place of abode, and also to the authorities of the place where the naturalized person has acquired communal rights, and also to the Civil Magistrature of the place of abode, in accordance with para. 9 of the Ministerial Order of the 2nd June, 1880, adding also the announcements and vouchers of the case; and further, if necessary, shall report or remark upon the question of the due performance of military duty.

(Signed)

SICK.

Ministry of the Interior, Stuttgardt, January 31, 1881.

Inclosure 4 in No. 7.

Memorandum.

IN regard to nationality and naturalization, there exists in Bavaria the same Law as in the other German Federal States, viz., the (Imperial) Law respecting the acquisition and loss of Federal and State nationality of the 1st June, 1870 ("Federal Law Gazette" of 1870, p. 355).

The above Law was brought into force in Bavaria by the Imperial Law of the 22nd April, 1871, concerning the application of the Laws of the North German Federation in Bavaria ("Imperial Law Gazette" of 1871, p. 87).

A detailed Decree of the Bavarian Ministry of the Interior, of the 9th May, 1871, regulates the execution of the Imperial Law of the 1st June, 1870, defining the action to be taken in applying for naturalization or for abandoning Bavarian citizenship, and also defining the competent authorities and the official forms of the necessary papers.

With regard to the working of the Law, particularly in regard to foreigners, it is to be remarked that it presents no special difficulties either in the way of acquisition or of abandonment of nationality.

While, however, a German can only be refused naturalization in another Federal State on the grounds defined in Article 7 of the Law, a foreigner, on the other hand, has no absolute right by law to naturalization, not even when he has fulfilled the conditions laid down by Article 8 of the Law.

Furthermore, naturalization in Bavaria can only be granted to a foreigner if he at the same time acquires communal citizenship in a Bavarian commune. However, the Bavarian Ministry of the Interior has reserved to itself the right of dispensing with this last condition in exceptional cases.

In Reger's abridged "Imperial Code," &c. (Ansbach, 1888), at p. 16 is given the (Imperial) Law of the 1st June, 1870, and on p. 40, &c., the instructions for executing it, dated the 9th May, 1871. The same contains some other Laws and Decrees in connection therewith, and also other auxiliary matter.

Inclosure 5 in No. 7.

Notes from the Bavarian Ministerial Decrees of May 4 and 9, 1871, and January 15, 1878, respecting the Naturalization Law.

(Translation.)

THE Decree of the 4th May, 1871, states that the right of Bavarian police and other authorized authorities to banish any persons from Bavaria, whether Bavarians, other Germans, or foreigners, is, and remains, undoubted.

The right of communes to rescind certificates of communal citizenship is unaltered.

The Bavarian Law of domicile, marriage, and communal citizenship continues in full force.

The Decree of the 9th May, 1871, provides that certificates of naturalization are exclusively granted by the Bavarian Local Governments (Department of Interior), and that they are only granted together with and simultaneously with communal certificates ("Heimath Schein") approved by the police authorities in the case of foreigners, but not in that of Germans.

Forms for the purpose are supplied.

Application must be made to the district administrative officials for naturalization or abandonment of Bavarian nationality.

Only persons already possessing *German* nationality can apply for *Bavarian* nationality as an absolute *right*. Full particulars and family papers must be produced, and proof that the applicant has the right to settle in Bavaria under the Free Migration Law.

The admission of Germans is not dependent on obtaining communal certificates.

Foreigners have no *absolute right* to naturalization even if they produce the proofs required by law, and may therefore be refused without reasons being given.

In general, proper and clear proofs that there is no impediment to naturalization must be laid before the local authorities, who are then to proceed on the general principle that the spirit of the law is contrary to an *ungrounded* refusal of naturalization.

Similar procedure is authorized in cases of applications for release from Bavarian nationality.

If the applicant has already acquired another *German* nationality, further proofs are

not necessary. But the granting of release from Bavarian nationality cannot be made dependent upon the previous acquisition of any *foreign* nationality.

Applications for reacquiring Bavarian nationality after naturalization abroad are made in accordance with the above procedure.

Applications for permission to enter foreign service must be made to the Ministry of the Interior.

The Decree of the 15th January, 1878, declares that German subjects desiring naturalization in Austria, or Austrians desiring naturalization in Germany, can only obtain such naturalization after being fully and completely released from their previous nationality.

Further forms for special cases are given.

HESSE-DARMSTADT AND BADEN.

No. 8.

Mr. Helyar to the Earl of Rosebery.—(Received December 26.)

My Lord,

Darmstadt, December 19, 1892.

WITH reference to your Lordship's Circular despatch of the 12th October last, I have the honour to state that I have been officially informed by the Hessian Minister of State that the law in force in Hesse Darmstadt respecting nationality and naturalization, is that of the German Empire at large, without any local variations either in principle or practice.

With regard to Baden, I have the honour to transmit herewith in translation a copy of a note from the Baden Government to the late Mr. Jocelyn of the 9th ultimo, stating the Law on this subject in the Grand Duchy of Baden.

I have, &c.

(Signed) H. A. HELYAR.

Inclosure in No. 8.

M. Turban to Mr. Jocelyn.

(Translation.)

Sir,

Karlsruhe, November 9, 1892.

IN reply to your respected communication of the 28th ultimo, I have the honour courteously to communicate that the acquirement and loss of nationality in the Grand Duchy of Baden is regulated in the same way as for the whole German Empire, by the Law of the former North German Confederation of the 1st June, 1870, respecting the acquirement and loss of State and Federal nationality, which was introduced likewise into Baden on the 1st January, 1871.

I may presume that this Law has been already communicated to Her Majesty's Government from other quarters. Decisions for granting and taking away nationality, and respecting the rightful possession thereof, are given in Baden by the Administrative authorities. In cases of complaints against these administrative decisions, appeal lies to the Grand Ducal High Court in Karlsruhe, but not to the Civil Tribunal (*Bürgerliche Gericht*), in accordance with Article 3, para. 26, of the Law of Baden of the 14th June, 1884.

Respecting the working of the Law in practice, I beg to refer you to the work of Dr. Wilhelm Cahn, "The Imperial Law concerning the Acquirement and Loss of State and Federal Nationality of the 1st June, 1870," published in 1889 by F. Gutenberg (Berlin and Leipzig).

I avail, &c.

(Signed) TURBAN.

SAXE COBURG GOTHA.

No. 9.

Mr. Milbanke to the Earl of Rosebery.—(Received November 16.)

My Lord,

Coburg, November 12, 1892.

WITH reference to your Lordship's despatch of the 13th ultimo, marked Circular, I have the honour to state that there are no special Regulations in the Duchies of Coburg and Gotha relating to nationality and naturalization other than those contained in the Imperial German Laws on the subject which have been passed by the Reichstag at Berlin.

I have, &c.
(Signed) RALPH MILBANKE.

GREECE.

No. 10.

Mr. Egerton to the Earl of Rosebery.—(Received January 7, 1893.)

My Lord,

Athens, December 30, 1892.

IN reply to your Lordship's Circular despatch of the 13th October, I have the honour to inclose translations of the Laws in force in Greece relating to nationality and naturalization, of which the Ministry for Foreign Affairs has, at my request, obtained a list from the Ministry of Justice.

The principle embodied in these Laws with respect to Greek nationality is that it is derived from hereditary transmission, and not as a rule from the fact of birth in the country.

Greek naturalization can be acquired by a residence in the country of three years, or in the case of "homogenes," or persons of Greek race, though not of Greek nationality, of two years, coupled with proof of the *animus manendi*.

The decisions of Greek Law Courts not being published, I am not able to forward any bearing on the subject; but as the Courts are not necessarily bound by precedent, no past judgment could be taken as a guide to the future interpretation of the law.

I have, &c.

(Signed) EDWIN H. EGERTON.

Inclosure in No. 10.

Law 391 of October 29 (November 10), 1856.

GREEK CIVIL LAW.

Book I.—*Of Persons.*Section 1.—*Of the Enjoyment, Loss, and Recovery of Civil Rights.*Chapter I.—*Of the Enjoyment of Civil Rights.*

(Translation. Extract.)

ARTICLE 9. The enjoyment of civil rights is independent of the enjoyment of political rights, which are acquired and preserved in accordance with public law.

Article 10. Every Greek has the enjoyment of all civil rights.

Article 11. An embryo is considered as born, so far as regards the acquisition by it of civil rights, if it be born alive; and in case of doubt whether it be born alive or dead, the former is presumed.

Article 12. Bodies lawfully constituted as legal persons enjoy civil rights in so far as special laws do not modify their enjoyment of them.

Article 13. Aliens likewise enjoy civil rights in Greece, unless Laws of the Realm, not modified by Treaties, grant any civil right exclusively to natives.

Article 14. A person is a Greek :—

- (a.) If born of a Greek father;
- (b.) If born illegitimately of a Greek mother;
- (c.) If born in Greece of unknown father and mother;

(d.) If born illegitimately of an alien mother and a Greek father, provided he be recognized by the latter according to law.

Article 15. An alien who, according to the law of the State to which he belongs, is of full age, may become Greek by naturalization.

A person intending to be naturalized must declare his intention to the Municipal authority of the place where he intends to establish his domicile, and after his declaration he must reside in Greece; if he be a "homogene,"* two years: if he be an alien, three years;† and after the expiration of this term, and upon the certificate of the proper "Procureur-Général" that he has not been guilty of any of the crimes or misdemeanours treated of in Article 22 of the Penal Law, he must take the oath of Greek allegiance before the proper Prefect.

Article 16. The King may grant to an alien, established in the country for the purpose of being naturalized, full enjoyment of civil rights during the interval required for naturalization: in this case all his legal relations are regulated in accordance with the laws of Greece.

Article 17. The children born before the declaration of intended naturalization, and the wife even after the husband's naturalization, remain aliens; but if at the time of the naturalization the wife or the children were not of full age, they can acquire Greek nationality, provided that, within a year after they become of full age, they make a declaration of their intention to do so before the Municipal authority of the place in which they intend to establish their domicile, that they reside in Greece, and that they take the oath of Greek allegiance before the proper Prefect.

Article 18. The children of the persons referred to in Article 15, born respectively within the periods of two or of three years, become Greeks by the naturalization of their father.

Article 19. A person born illegitimately of a Greek mother and an alien father, and recognized by the latter, and a person born in Greece of an alien, can acquire Greek nationality in accordance with the terms of Article 17.

Article 20. A person born of parents who have lost Greek nationality can always recover it, by fulfilling the requirements of Article 17.

Article 21. An alien woman married to a Greek becomes Greek.

Article 22. An alien who has rendered great services to Greece, who has introduced an important invention or industry, who has founded establishments of public utility, or who is distinguished for extraordinary intellectual ability, may be naturalized by a Law.‡

Chapter II.—Of the Loss and Recovery of Civil Rights.

Article 23. Greek nationality is lost—

(a.) By naturalization in a foreign country;

(b.) By acceptance of public service with a foreign Government without permission from the King.

Article 24. The wife and children of a person who has lost Greek nationality remain Greek.

Article 25. A Greek woman married to an alien loses Greek nationality; but if her husband be naturalized a Greek, or she become a widow or be divorced, she can recover Greek nationality from the time when—whether she be already in Greece or return from abroad—she makes a declaration of her intention to recover it to the Municipal authority of the place where she intends to reside.

Article 26. A person who, with permission of the King, has been naturalized in a foreign State, recovers Greek nationality if, after his return to Greece, he declares to the proper Municipal authority his intention to recover it, and resides in Greece.

Article 27. A person who has lost Greek nationality can always recover it if, after his return to Greece, he declares to the proper Municipal authority his intention to that effect, resides in Greece six months, and takes the oath of Greek allegiance before the Prefect.

Article 28. A person who, without permission from the King, has accepted foreign military service, can recover Greek nationality if, after his return to Greece, he fulfils, in

* i.e., a person of Greek race, but not of Greek nationality.

† A Law, dated February 19 (March 3), 1881, permitted the grant of naturalization by Royal Decree before the expiration of the terms fixed by this Article, but it was repealed by Article 1 of the Law of December 31, 1890 (January 12, 1891), of which translation is annexed.

‡ This Article was altered to its present form by a Law of January 16 (28), 1858.

accordance with Royal permission previously obtained, the conditions required of an alien who intends to be naturalized.

Article 29. The deprivation of civil rights as a consequence of a penal condemnation is defined by the penal legislation.

Law 1129 of December 31, 1883 (January 12, 1884), concerning the taking of the Oath by those who exceptionally acquire Greek Nationality and who are absent from the Country.

Sole Article.—Persons who, by virtue of special Laws, are acquiring, or have already acquired, Greek nationality, may, upon their application to the Ministry of the Interior, be authorized by Royal Decree to take the oath of a Greek citizen before the Greek Consul for the district in which they are residing.

Law 1879 of December 31, 1890 (January 12, 1891).

Article 1. The Law 910 of the 19th February (3rd March), 1881, concerning an addition to Article 15 of the Civil Law, is repealed.

Article 2. The manner in which the person, who has made a declaration of his intention to be naturalized, shall prove that he is of full age, shall be regulated by a Royal Decree.

Royal Decree of August 21 (September 2), 1891, concerning the manner in which proof of Full Age, &c., shall be given by Applicants for Greek Naturalization.

Having in view the provisions of Article 2 of the Law of 1879 of the 31st December, 1890 (12th January, 1891), concerning the repeal of the Law 910 of the 19th February (3rd March), 1881, "concerning an addition to Article 15 of the Civil Law," and concerning the completion of this Article [by a Royal Decree];

Upon the proposal of our Ministers of the Interior and of Justice, we have decided and do order as follows:—

Article 1. Proof that the person, who has declared his desire to acquire the right of Greek nationality, is of full age according to the law of the State to which he belongs, is given either—

(a.) By a copy of his certificate of birth, issued by the proper authority, the genuineness of whose signature shall be certified by the signature of the proper Greek Consular authority; or

(b.) By the original of the diploma of a Greek school, gymnasium, or lyceum, if the person in question be a scholar or student of the University; and by the original certificate of the parish priest countersigned by two Notables of the community to which the declarant belongs, if the individual in question be of another calling or profession. The genuineness of the signature upon these documents, of both categories, shall likewise be certified by the signature of the proper Greek Consular authority; or

(c.) By the examination of the declarant by the competent Military Council, and its unanimous opinion of the verification of his age. Such examination and decision shall take place also in the event of doubts being raised on the part of the Municipal authorities at the time of the declaration being made, or on the part of the Prefect at the time of the taking of the oath of a Greek citizen, as to the accuracy of the documents defined in the preceding paragraphs (b) and (c) [*sic, query (a) and (b).*]

Article 2. The manner in which proof shall be given of the declarant's permanent residence in Greece, in accordance with the period of time fixed by Article 15 of the Civil Law, shall be regulated by instructions from the Ministry of the Interior to the competent administrative authorities.

No. 11.

Mr. Egerton to the Earl of Rosebery.—(Received March 7.)

My Lord,

Athens, March 1, 1893.

WITH reference to my despatch of the 30th December last, I have the honour to inclose translation of a Law permitting the naturalization of aliens by Royal Decree before the expiration of the term of residence required by Article 15 of the Civil Law.

The principle of this measure had already been introduced by a Law, dated the 19th February (3rd March), 1881. This Law was, however, repealed by a Law dated the 31st December, 1890 (12th January, 1891), which is now itself repealed.

I have, &c.

(Signed) EDWIN H. EGERTON.

Inclosure 1 in No. 11.

Law concerning the Repeal of the Law 1879 of 1890, which Repealed the Law 910 of 1881 concerning an Addition to Article 15 of the Civil Law.

(Translation.)

ARTICLE 1. The Greek naturalization of any alien may be permitted by Royal Decree, even before the expiration of the term fixed by Article 15 of the Civil Law.

Art. 2. The Law 1879 of the 31st December, 1890 (12th January, 1891), is repealed.

Athens, February 10 (22), 1893.

No. 12.

Mr. Egerton to the Earl of Rosebery.—(Received April 18.)

My Lord,

Athens, April 12, 1893.

WITH reference to my despatch of the 1st March, I have the honour to inclose translation of a Royal Decree, dated the 21st ultimo (2nd instant), determining the proofs of identity, good character, &c., which are required of applicants for Hellenic nationality, and revoking the previous Decree on the same subject, which formed Inclosure No. 4 in my despatch of the 30th December last.

I have, &c.

(Signed) EDWIN H. EGERTON.

Inclosure in No. 12.

Royal Decree concerning the Qualifications to be proved by Applicants for Hellenic Nationality.

(Translation.)

GEORGE I, King of the Greeks, having in view Article 15 of the Civil Law, and the Law supplementing it, 2144 of the 10th February, 1893, upon the proposition of our Ministers of the Interior and of Justice, We have decided and do order:—

Article 1. Applicants for Hellenic nationality are required to prove:

(a.) That they are of full age according to the law of the State to which they belong, by the production of a copy of the legal certificate of birth, or in the case of a country where no system of civil registration is in force, by the production of an original certificate of the proper administrative, municipal, or communal authority of their place of origin, attested according to law by the proper Greek Consular authority;

(b.) That they are in lawful possession of this certificate, by the sworn affirmation of their identity, before the "Juge de Paix" of the place where the declaration is made, by two citizens of good reputation, who testify at the same time to the previous good character of the applicant for naturalization;

(c.) That they intend to establish themselves in the Commune, by the production of a copy of their declaration to the proper municipal authority respecting the acquisition of Hellenic nationality; and

(d.) That they have not been convicted of any crime, or of any of the misdemeanours comprised in Article 22 of the Penal Law, by the production of a certificate from the proper "Procureurs" of the Courts of First Instance and of Misdemeanours.*

Art. 2. Our Royal Decree of the 21st August, 1891, is revoked.

The above-mentioned Ministers shall execute and publish this Decree.

(Signed) GEORGE.

Athens, March 21 (April 2), 1893.

The Minister of the Interior,

(Signed) E. DRAGOMIS.

The Minister of Justice,

(Signed) A. N. SIMOPAULOS.

* The misdemeanours referred to in Article 22 of the Penal Law are theft, fraud, forgery, perjury, slander, or false denunciation, offences against the currency laws, and offences against public morality.—TRANSLATOR'S NOTE.

ITALY.

No. 13.

Lord Vivian to the Earl of Rosebery.—(Received December 27.)

My Lord,

Rome, December 20, 1892.

IN compliance with the instructions conveyed to me in your Lordship's despatch, marked Circular, of the 13th October last, I have the honour to inclose copy and translation of the Code of Laws relating to nationality and naturalization which has been in force throughout the Kingdom of Italy since the 1st January, 1866.

Articles 4, 5, and 6. According to this Code the child of an Italian citizen is a citizen wherever he may be born. If the father should have lost his citizenship before the child's birth, the latter is reputed a citizen if he be born and resident within the Realm; if he be born abroad, provision is made for allowing him to elect Italian nationality on becoming of age. The acceptance of public employment in Italy, service in the Royal Army and Navy, or fulfilment of the requirements of the Conscription Law, also confer citizenship in such cases without further process.

Article 7. The child of an unknown father and an Italian mother is a citizen, unless the mother should have lost her citizenship before the birth of the child, in which case the child, on attaining majority, can elect its nationality.

Article 8. The child of an unknown father and mother born in the kingdom is a citizen.

The child of an alien who has established a legal domicile by an uninterrupted residence of ten years, for other than commercial purposes, within the kingdom is recognized as a citizen, but, on attaining his majority, the child may elect to become an alien by making the declaration prescribed in Article 5. If the alien father should not have established his legal domicile in the kingdom, the child is deemed to be an alien, but can acquire citizenship in the manner provided by Article 6.

Article 9. The wife of an Italian citizen who was an alien before her marriage preserves her acquired Italian nationality in widowhood.

Article 10. Citizenship, together with naturalization, can be conferred on an alien by law or by Royal Decree, subject to his taking the prescribed oath of allegiance. The decree is not valid unless registered by the competent local authority within six months of its date. The wife and infant children of a naturalized alien become citizens on condition of their establishing their residence in the Realm, but the children can elect to become aliens on making the declaration prescribed in Article 5.

Article 11. Citizenship is lost by formal renunciation and subsequent emigration, by naturalization in a foreign country, by employment in the service of a foreign State without previous permission of the Italian Government, or by entry into the military service of a foreign Power.

The wife and infant children of a person who has thus lost his citizenship become aliens, unless they have continued to reside in Italy, but both the wife and children may recover Italian citizenship by the means provided in Articles 13 and 14.

Article 12. Persons who have thus lost their citizenship are not absolved from the obligations of military service, nor from the penalty attaching to the offence of bearing arms against their native country.

Article 13. Citizenship can be recovered: By return to the Realm with the special permission of the Government; by renunciation of foreign citizenship, employment, or military service in a foreign country; by formal declaration of an intention to establish domicile within the Realm, and by so *bonâ fide* establishing it within the year.

Article 14. An Italian woman who by marriage with an alien has become an alien can, on becoming a widow, recover citizenship by residence within or return to the Realm, on formally declaring, in either case, her intention to establish her domicile therein.

Article 15. The acquisition or recovery of citizenship in the above-mentioned cases does not take effect until the day after that in which the required conditions and formalities are fulfilled.

It may be observed, with reference to the use of the word "citizenship" throughout the Code and to the distinction drawn in Article 10 between "citizenship" and "naturalization" that Italian citizenship, properly speaking, is a local privilege somewhat corresponding to the German "burgherrecht;" it originates from the provinces being divided, for the purposes of conscription and taxation, into districts within one of which every Italian is bound to have his name inscribed on the local lists. By Article 1 of the Code "every citizen enjoys civil rights."

The effect of these laws as regards foreigners is that questions arising from double allegiance frequently occur, especially as regards liability to the conscription; a full report on this point is contained in the Appendix to the Report of the Royal Commission of 1869 on the laws of naturalization and allegiance, and I inclose a Memorandum by Mr. Raikes showing the operation of the Italian laws as regards British subjects.

I have, &c.
(Signed) VIVIAN.

Inclosure in No. 13.

Memorandum on the Operation of Italian Laws as regards British Subjects.

The present
Code not
always retro-
spective in
its action.

THE Italian Civil Code relating to nationality and naturalization. This Code was promulgated in 1866, but its action does not appear to be always retrospective, as on several occasions the Italian authorities have decided cases which originated before the promulgation of the Code, in accordance with previous legislation.

For instance, at the commencement of this year a widow died in Italy who was English by birth, but who had been married at the British Consulate to an Italian in the year 1858. On her death, the Italian authorities declared that, as she had not complied with the law of the Grand Duchy of Tuscany, which was in force in the year 1858, and according to the provisions of which law a religious ceremony was necessary to render a marriage valid, she had never become an Italian citizen, although, as the marriage in question was valid in Her Majesty's dominions, she had ceased, by the law of England, to be a British subject.

Again, in 1877, the Italian Minister of War held that a Mr. Udney was liable to military service, "because the status of persons born before the Civil Code came into force was determined by the law prevailing at the time of their birth."

The only Articles in the Code which call for special notice are Articles 4 and 8. Article 4 of the Civil Code declares that "the child of a citizen is a citizen;" it follows, therefore, that children of Italian parents born in Her Majesty's dominions have a double allegiance, for they are natural born British subjects by the common law of England, and Italian citizens by the provisions of the Italian Civil Code.

On several occasions persons in this position have appealed to Her Majesty's Diplomatic and Consular officers for protection from conscription, on the ground that they are British subjects.

Lord Aberdeen laid down, in the case of M. Salteri in 1843, "That the son of an Italian, *having been born and being resident within the dominions of the British Crown*, cannot be liable to the conscription law of Italy." While Lord Derby declared in 1877, "That as a person born in England of an Italian father was by Italian law an Italian subject, he was, *whilst in Italy*, subject to the law of conscription."

Residence, therefore, would appear to be the test in these cases, and sons of Italian fathers to be liable, if resident in Italy, to the law of conscription in that country, although they are natural-born British subjects.

Whether a marriage of a person owing a double allegiance of this kind with a person of British parentage should be regarded as a mixed marriage, is a question of some importance, as the Foreign Marriage Order in Council (sec. 4, b, c) virtually prohibits mixed marriages of British and Italian subjects at Her Majesty's Consulates in Italy.

Article 8 of the Code states that "the child of an alien who has established his domicile within the kingdom uninterruptedly for ten years is considered a citizen; residence for commercial purposes is not sufficient to constitute domicile. The child can, however, elect to be considered an alien (within a year of attaining his majority) on making the declaration prescribed in Article 5." That is to say, the sons of British subjects, born in Italy, if domiciled for ten years there for other than commercial purposes, are held by the Code to be Italian citizens, but may opt for either nationality on reaching the age of 21. As it is the practice in Italy to call up conscripts at the age of 20, the son of a British subject may be liable for service in the army before he can establish his

claim to British nationality. But in the only recent case which has been reported to this Embassy, the Italian Government waived the claim on the production of a certificate that the individual in question was a British subject, although he was under 21 years of age. In the case of *Ferrando v. the Ministry of War*, the Tribunal of Genoa in 1880 delivered a Judgment in which the following passage occurs: "The question whether the son of a foreigner, born in Italy before the promulgation of the present Code, has the right to elect ("optare") the nationality of his father on attaining his majority, has been already decided in the affirmative by the Consiglio di Stato by sentence of the 21st April, 1876, on the advice of the Ministry of Justice, in conformity with the opinion of the Ministry for Foreign Affairs against that of the Ministry of War."

As the Albertine Code gave no such right, the Civil Code of 1866 was held to be retrospective in this case, and the Court, on being satisfied that Ferrando was the son of a natural-born British subject, confirmed his claim to British nationality.

It seems curious after this decision of the Consiglio di Stato in 1876, that the Minister of War should have given expression to the view quoted above respecting Mr. Udney in 1877, but that case was settled on other grounds, and the matter dropped.

In the case of Lieutenant Westerman, born of British parents at Genoa, and serving as an officer in the Royal Artillery, the Italian Government held that his British nationality, derived from his father, did not avail him against the law of conscription in Italy, the country of his birth, and he was accordingly declared a deserter from the Italian army, but on an unofficial representation of the facts of the case by the Embassy, the appeal for Lieutenant Westerman's exemption from military service on the ground of comity was at once entertained.

(Signed) ARTHUR S. RAIKES.

Rome, December 20, 1892.

MONTENEGRO.

No. 14.

Mr. Baring to the Earl of Rosebery.—(Received November 10.)

My Lord,

Cettinje, November 3, 1892.

I HAVE the honour to acknowledge the receipt of your Lordship's Circular despatch of the 13th ultimo, instructing me to forward copies of the Laws in force in this country relating to nationality and naturalization.

In reply, I have the honour to report that in Montenegro there are no written Laws on the subjects respecting which information is required, the procedure of the competent authorities being entirely governed by practice.

A foreigner who has resided five years in the country is entitled to claim Montenegrin nationality, which is accorded to him on application to the Ministry of the Interior. On the other hand, a foreigner who has resided less than the above period, and who may desire to be naturalized, is bound to produce documentary evidence that the State of which he was a subject has no objection to his change of nationality.

In a country like this, however, where the will of the Sovereign is paramount, rules and regulations are not unfrequently set aside, and cases are decided upon what are supposed to be their merits.

I have, &c.

(Signed) WALTER BARING.

NETHERLANDS AND LUXEMBURG.

No. 15.

Sir H. Rumbold to the Earl of Rosebery.—(Received October 31.)

My Lord,

The Hague, October 27, 1892.

IN obedience to the instructions contained in your Lordship's Circular of the 13th instant, I have the honour to inclose herewith copies and translations of the Laws actually in force in the Netherlands relating to nationality and naturalization.

As previously reported, a new Law on the subject has just been passed by the Second Chamber of the States-General, but still has to be adopted by the First Chamber before receiving the Royal sanction and coming into force.

The legislation on this question obtaining up to the present time is consigned partly in Chapter II of the "*Burgerlijk Wetboek*," or Civil Code, and partly in a Law of the 28th July, 1850 ("*Staatsblad*" No. 44), which was passed in execution of Article 7 of the Constitution of 1848, wherein it is stated that it shall be determined by law who is to be considered as a Netherlander, and, further, that no foreigner can be naturalized except in virtue of a Law passed for the purpose.

As explained in the exhaustive explanatory statement ("*Memorie van Toelichting*") which accompanied the new Law when laid before Parliament, it was deemed desirable by the Government to detach the question of nationality altogether from the Civil Code, and to regulate it in all its bearings by a separate measure.

One of the distinctive marks of the new Bill, when first introduced, was an attempt to do away completely with so-called double nationality, it being held that "the condition of Netherlander is of its essence indivisible" ("*een ondeelbaar begrip*"). The fundamental principle, therefore, laid down in the original project as determining the qualification of Netherlander was that of descent, the nationality of the parents (*jus sanguinis*) being held to be conclusive; while the "territorial principle," under which more special importance is attached to place of birth, was put aside on the ground of its admitting in many cases, when applied, of a double nationality, with the doubts and difficulties attending such. Having regard especially to the contiguity of Germany, and the great intercourse with that country, it was held advisable to avoid, as far as could be, the possibility of persons to whom the character of Netherlander attached belonging at the same time to the German nationality.

The principles thus enounced, although still governing the new legislation, have, in some degree, been departed from in the measure (copy and translation of which are likewise herewith inclosed) as now adopted by the Second Chamber—and this out of deference to a marked expression of opinion in the Committees of that Chamber—and the "territorial principle" as opposed to the "*jus sanguinis*" has been readmitted to a certain extent. On this point special attention may be directed to paragraph (a) of Article 2, borrowed from the French Nationality Law of the 26th June, 1889, on which seems to have been grafted a notable decision recently given by the French "*Cour de Cassation*." It is laid down there that the child of any individual domiciled in the kingdom ("*ingezetene des Rijks*"), who was born of a mother residing in the kingdom, is held to be a Netherlander, unless it should appear that the said child belongs, as a foreigner, to another country. In view of the possible—indeed probable—introduction of obligatory military service in this country at no distant date, the bearing of this Article cannot be indifferent to foreigners residing here, although the saving clause at the end to some extent meets the objections that might be made to it.

The oppressive character of such an enactment appears now to have been recognized by the French Government, who are said to intend submitting to Parliament a measure for its modification. Possibly it may be felt here, too, that the Article in question requires some revisal.

The new Law regulates very carefully (Articles 5 and 6) the question of naturalization, extending its privileges, by a departure from the legislation hitherto existing on that point, to the wives and children of naturalized Dutch subjects. The period during which a person applying for naturalization must have resided in the kingdom or its dependencies is reduced from six to five years, while a charge of 100 florins (8*l.*) will be made in future for every grant of naturalization.

The term of five years within which a Netherlander, permanently residing abroad otherwise than in the service of the State, has to give notice to the competent local authority in Holland, or to a Dutch Legation or Consulate, of his intention eventually to return to his native country, failing which notice he loses his nationality, has, under the new Law, been extended to ten years. This change is attributable in part to strong representations which reached the Government from some of the Dutch communities abroad, and notably those residing in Paris and London.

It should also be observed that the widow who, by marriage, has lost her status as a Netherlander, may recover it on the dissolution of such marriage by making known her desire to that effect, within a year afterwards, to the competent authorities.

As regards domicile, or "*ingezetenschap*," all persons who have resided in the kingdom or its Colonies and dependencies for the previous eighteen months are considered to have acquired it. Under Article 8 of the Civil Code, foreigners were placed on the same footing as Netherlanders on taking up their permanent residence within the kingdom by permission of the Sovereign, and making such permission known to the communal authorities of their place of abode; or when, after having permanently resided in some commune of the kingdom for six years, they had given notice to the local authorities of their intention to settle in the kingdom.

On this subject, Article 16 of the new Law simply observes that the provisions concerning "*ingezetenschap*" contained in different Laws are only valid as regards the subjects treated of in those Laws. The Laws thus referred to are those of the 13th August, 1849, regulating the admission and expulsion of foreigners, and of the 6th April, 1875, regulating the conditions on which Treaties may be concluded with foreign Powers for the extradition of foreigners, together with the Law on the National Militia of the 16th August, 1861. Of these Laws, the older Law of 1849 is almost entirely obsolete, dealing principally with the passports and *permis de séjour* required at that time of all foreigners in this country, and prescribing the rules to be followed in case of expulsion or extradition. Copies of both Laws are, nevertheless, sent herewith, for convenience of reference. The Committees ("*Section*") of the First Chamber which are now examining the new Nationality Law inquired, with respect to Article 16 of that Law, whether, as regards liability to service in the militia, under Article 15 of the Militia Law, the definition of "*ingezetenschap*" given in the old Nationality Law of 1850, as referred to in the Militia Law, was still held to be binding.

I inclose, for reference, a translation of the Article of the Militia Law in question.

In other respects the new Dutch Nationality Law seems to call for no further remark.

The subject of nationality ("*indigénat*") and naturalization in the Grand Duchy of Luxemburg is regulated by the Civil Code ("*Code Napoléon*") in force in that country, and by a Law on naturalization bearing the date of the 12th November, 1848, modified by a Law of the 27th January, 1878. The latter Law, therefore, in conjunction with the Civil Code, determine the question.

Under Article 9 of the Civil Code, the child born of a foreigner in the Grand Duchy may, in the year following his coming of age, claim the quality of a Luxemburger, provided, if he resides in the Grand Duchy, he declares his intention of fixing his abode ("*domicile*") there, or if, when residing abroad, he notifies his desire ("*sa soumission*") thus to fix his abode, and does so within a year from such notification.

Article 10 of the Civil Code (paragraph 2) states that the child, born abroad of a Luxemburger who has lost the status of a Luxemburg subject, may at all times recover that status by complying with the formalities specified in Article 9. By a special Law of the 5th February, 1890, the child born of a mother of Luxemburg extraction who has lost the status of a Luxemburg subject is included in the above prescriptions.

Article 19 of the Civil Code further provides that the Luxemburg woman who has married a foreigner, and thus lost her nationality, recovers it on becoming a widow, provided she resides in the Grand Duchy or returns there by leave of the Grand Duke, on declaring that she intends to settle there.

The interpretation given by the local Courts to Article 17 (paragraph 3) of the Code, wherein it is stated that the quality of Luxemburger is forfeited by settlement in a foreign country without the intention of returning (*animus revertendi*), deserves some notice. The Tribunal of Diekirch, by a decision of the 2nd March, 1850, laid down that, as regards settlement abroad, the intention of returning must always be presumed. Thus, a foreign woman who had acquired the Luxemburg nationality by her marriage with a Luxemburger would not become a foreigner again at the death of her husband, even if residing in her native country. As regards this point, a decision of considerable importance was also given by the Supreme Court, by a Decree of the 23rd January,

1878, with reference to the Law of the German Empire of the 1st June, 1871 ("Über Erwerbung und Verlust der Staatsangehörigkeit"). The Court held that this Law, while conferring on Luxemburgers, who had definitively taken upon themselves certain public functions in Alsace-Lorraine, the quality of natives ("regnicoles") of that country could not have a retroactive effect in the sense of implicitly compelling those Luxemburgers to renounce their original nationality which they had been careful to preserve according to Luxemburg law. These persons, therefore, must be held to have a double nationality: in Alsace-Lorraine they would be subjects of the German Empire, in virtue of Article 9 of the Law of the 1st June, 1871, and in the Grand Duchy they would be Luxemburgers, not having lost that status for any of the reasons enumerated in Article 17 of the Civil Code. In case of conflict between the indigenous and foreign law, the first alone would be held to govern the decisions of the Luxemburg Judges.

As regards naturalization, it is conferred under the Constitution of 1868 (Article 10) by the Legislature, and places the foreigner who has acquired it on the same footing as the Luxemburger as regards political rights. Article 1 of the Law on Naturalization now in force also states that naturalized foreigners enjoy all the civil and political rights attaching to the status of Luxemburger. By Article 2 it is, however, laid down that naturalization cannot be conferred on a foreigner when it is not compatible with the duties he has to fulfil towards the State to which he belongs, a conflict possibly arising out of his naturalization.

A five years' residence in the Grand Duchy is required for naturalization, excepting in the case of the applicant having been born on Luxemburg soil; or having had and lost the status of a Luxemburg subject; or having rendered signal services to the State; or being the child of full age of a foreigner naturalized for services rendered.

All the Laws regulating nationality and naturalization in the Grand Duchy will be found at pp. 534 to 543 of the work by M. Ruppert, entitled "Le Grand-Duché dans ses Relations Internationales," a copy of which accompanied my despatch of the 6th July last.

I have, &c.
(Signed) HORACE RUMBOLD.

Inclosure 1 in No. 15.

(No. 44.)—*Law of the 28th July, 1850, for carrying out Article 7 of the Constitution.*

(Translation.)

WE, William III, by the Grace of God King of the Netherlands, Prince of Orange-Nassau, Grand Duke of Luxemburg, &c.

Know all men by these presents:

Having taken into consideration that it is necessary, in view of Articles 5 and 6 of the Constitution, to give effect to the first paragraph of Article 7 of that Constitution; as also to declare by law what persons are to be regarded as residing in the kingdom; and that is desirable to formulate and settle by law the conditions on which the status of Netherlands subject, by the process of naturalization, shall in every special case be applied for and conceded;

Having consulted the Council of State, and deliberated with the States-General, we have sanctioned the following Articles:—

Article 1. As regards the enjoyment of the rights of citizenship, the persons herein-after mentioned shall be accounted Netherlands subjects:

(1.) All persons born of parents permanently residing in the kingdom in Europe.

(2.) All persons born in the kingdom in Europe of parents not permanently residing there, who, within the year after they have attained the full age of 23, have declared their intention of continuing to reside there to the authorities of the place of their domicile.

Those persons, however, who have attained that age already at the date of the publication of this Law, may still make that declaration during the year after that publication.

(3.) All persons who have been naturalized.

(4.) All persons descended from those mentioned under the preceding numbers, unless they were born at a date when their parents were disqualified by one of the conditions in Article 9.

Art. 2. Illegitimate children acknowledged by the father, being a Netherlands subject.

Illegitimate children of a woman, being a Netherlands subject, not acknowledged by the father.

Foundlings within the kingdom in Europe who have resided there till they have attained the full age of 23.

All these persons and their descendants, according to the provision of No. (4) of the preceding Article, shall also be considered Netherlands subjects.

Art. 3. Persons are accounted to be established or residing who have had their abode within the kingdom in Europe—

(1.) During the last three years.

(2.) During eighteen months after having made a declaration to the authorities of their place of domicile of their intention to continue residing there.

Persons established or residing who, for the last eighteen months, have had their domicile within the kingdom in Europe, shall be accounted Netherlands subjects.

Netherlands subjects in the service of the State, living in a foreign country, shall still be regarded as residing within the kingdom.

The provisions relating to residence, included in special Laws, apply only to the subjects to which those Laws refer.

Art. 4. All persons whose status of Netherlands subject was affected by the separation of the former Netherlands provinces which now constitute the Kingdom of Belgium, but who, at the date of the ratification of the Treaties of the 19th April, 1839, had their domicile in the kingdom in Europe, or in the Colonies or possessions of the kingdom in other parts of the world, or settled there within two years after that date, and have retained their domicile, or who deceased while they held that domicile, are Netherlands subjects, or shall be considered to have possessed that status at the time of their decease.

Article 5. The conditions required for naturalization are—

(1.) The full age of 23 years.

(2.) A permanent residence in the kingdom in Europe, or in the Colonies or possessions of the kingdom in other parts of the world for six consecutive years, with the declared intention of continuing to reside.

Art. 6. When a petition for naturalization is sent in, the following certificates must be presented:—

(a.) The certificate of birth, or such other document as by the law of the country to which he belongs is substituted for it.

(b.) The certificate of the six years' residence required.

(c.) A certificate issued by the authorities of the place at which the petitioner is established of his declaration made before them, that he intends to continue residing in the kingdom in Europe, or in the Colonies or possessions of the kingdom in other parts of the world.

Art. 7. Naturalization may also be conferred as a reward for distinguished services to the kingdom in Europe or its Colonies or possessions in other parts of the world, or for other sufficient reasons of State.

Articles 5 and 6 are not applicable to this case.

Art. 8. Letters of naturalization shall be supplied by us to all persons naturalized by the law.

Art. 9. The enjoyment of the rights acquired by naturalization shall begin as soon as the Law by which it is conferred has become binding, and the person naturalized has exhibited the registered letters of naturalization to the authorities of the place of his domicile, and has made declaration that he accepts the naturalization.

If, in the case of Article 7, the person naturalized resides abroad, the acceptance is effected by a declaration to the Minister for Foreign Affairs. A copy of the registered letters of naturalization must be handed in with the declaration.

Except in the case of Article 7, the naturalization becomes null and void if not accepted within six months after the Law which conferred it comes into force.

Art. 10. The status of Netherlands subject is lost:—

1. By accepting naturalization in a foreign country.

2. By taking foreign military service without our permission, or by accepting State employment from a foreign Government;

3. By residing five years in a foreign country with the evident intention of not returning.

The intention of returning is considered valid when the person resides abroad in connection with commercial enterprises at home.

We order and direct, &c.

Given at the Loo, the 28th July, 1850.

(Countersigned)

THORBECKE,

Minister of the Interior.

N. V. ROSENTHAL,

Minister of Justice.

(Signed)

WILLIAM.

Published on the 29th July, 1850.

(Signed) S. P. L'HONORÉ, C.D.,

Staatsraad, Director of the Cabinet of the King.

Inclosure 2 in No. 15.

CIVIL CODE OF THE NETHERLANDS.

(Book 1st, Chapter 2nd, p. 115.)

Of Netherlands Subjects and Foreigners.

(Translation.)

(By the Law of the 28th July, 1850 :)

5. THE following persons shall be accounted Netherlands subjects :—

(1.) All persons born of parents permanently residing in the kingdom or Colonies of the same.

(2.) Children of Netherlands subjects born in foreign countries.

(3.) All persons born in the kingdom, although of parents not permanently residing there, provided that they themselves permanently reside there.

(4.) Children born in foreign countries of foreign parents permanently residing in the kingdom or its Colonies, but who are absent on the service of the State, or for other reasons.

(5.) All persons who have been naturalized or who have acquired the rights of born Netherlands subjects.

6. A foreign woman married to a Netherlands subject holds the same status as her husband.

7. All persons not included in the two preceding articles, or who have forfeited the status of Netherlands subjects, shall be accounted foreigners.

8. Foreigners shall stand on the same footing as Netherlands subjects in the two following cases :—

(1.) When, with the permission of the King, they have established their domicile within the kingdom, and have notified their having obtained that permission to the authorities of the place of their domicile.

(2.) When, after having established their domicile in a commune of the kingdom, and continue to reside for six years in the same commune, they have notified the local authorities of that domicile their intention to continue to reside within the kingdom.

9. The status of Netherlands subject shall be forfeited—

(1.) By the person obtaining naturalization in a foreign country.

(2.) By entering the military service of a foreign country without the King's permission, or accepting public employment from a foreign Government.

(3.) By establishing his domicile in a foreign country with the distinct object of not returning to the kingdom. Commercial enterprises as such shall not be considered to indicate this object.

10. Those persons who have forfeited the status of Netherlands subject for one of the reasons mentioned in the preceding Article cannot recover the same, unless by due observance of the provisions of Article 8 above.

11. A woman, being a Netherlands subject, on marrying a foreigner, acquires the status of her husband. On the dissolution of the marriage she resumes the status of Netherlands subject, if she has her domicile within the kingdom or settles there, and in the latter case expressly notifies her intention to the communal authorities of the place where she has settled, on her return.

12. All persons who have recovered their status as Netherlands subjects can profit by that status only as regards such rights as they acquire after that recovery.

Inclosure 3 in No. 15.

Article 15 of the Law of August 19, 1861, on the National Militia.

(Translation.)

EVERY year the inscription takes place for the Militia of all the males domiciled in the country ("mannelijke ingezetene") who on the 1st January of that year have entered upon their 19th year.

The following are considered as domiciled:—

1. He whose father, or, if he is deceased, whose mother, or, if both are deceased, whose guardian is domiciled according to the Law of the 28th July, 1850 ("Staatsblad," No. 44).

2. He who, having neither parents nor guardian, has had his residence in the Netherlands during the eighteen months preceding the period mentioned in the first paragraph of this Article.

3. He of whose parents the one attaining the greatest age was domiciled, or who, in the case of his having a guardian who is not domiciled, at any rate resides himself in the kingdom.

Is not considered as domiciled the foreigner belonging to a State where Netherlands are not subjected to obligatory military service, or where, as regards such obligation to service, the principle of reciprocity is recognized.

PORTUGAL.

No. 16

Sir G. Petre to the Earl of Rosebery.—(Received December 9.)

My Lord,

Lisbon, November 28, 1892.

ON the receipt of your Lordship's Circular of the 13th October last, I addressed a note to the Minister for Foreign Affairs asking his Excellency to furnish me with copies of the Laws in force in Portugal relating to nationality and naturalization.

I have now the honour to inclose a translation of his reply, in which his Excellency states that the law in force on the subject referred to is set forth in Articles 18 to 23 in Title II of the Civil Code of Portugal. I likewise transmit a copy of the Civil Code in question, and of the Index thereto, as well as a translated extract from the Code of Articles 18 to 23 at pp. 5 to 7.

These Articles of the Code are in accordance with Article 7 of the Constitutional Charter of Portugal of the 29th April, 1826.*

I have, &c.
(Signed) GEORGE G. PETRE.

Inclosure 1 in No. 16.

Senhor Gouvêa to Sir G. Petre.

(Translation.)

Your Excellency,

Foreign Department, Lisbon, November 19, 1892.

IN compliance with the request contained in the note which your Excellency did me the honour to address me on the 26th ultimo, I transmit herewith to your Excellency the inclosed copy of the Portuguese Civil Code, where your Excellency will find in Articles 18 to 23, inclusive, the provisions in force on the subject of nationality and naturalization.

I avail, &c.
(Signed) A. AYRES DE GOUVÊA.

Inclosure 2 in No. 16.

Extract from the Portuguese Civil Code, approved by the Law of July 1, 1867.

(Fifth Official Edition, 1879.)

(Translation.)

PART I.—*Civil Capacity (one Book).*

Title II.—*In what manner the Quality or Capacity of Portuguese Citizenship is acquired.*

ARTICLE 18. The following are Portuguese citizens:—

1. Those born in these realms of a Portuguese father or mother, or only of a Portuguese mother, in case they are illegitimate.

2. Those born in these realms, of a foreign father, provided the latter is not residing in this country in the service of his own nation, unless they should declare either in person, in the event of their being of age or emancipated, or through their parents or guardians, should they still be minors, that they do not wish to be Portuguese citizens.

3. The children of a Portuguese father, even in case he should have been expelled from this kingdom, and the illegitimate children of a Portuguese mother, even if born in a foreign country, who may come and establish their domicile in these realms, or shall

declare either in person, if they are of age or have been emancipated, or through their parents or guardians, if they are minors, that it is their wish to be Portuguese subjects.

4. All those born in this country whose parents are either unknown, or the nationality of whose parents is unknown.

5. Foreigners naturalized, irrespective of their religious belief.

6. A foreign woman married to a Portuguese citizen.

Paragraph 1. The declaration required in No. 2 is to be made before the Municipality of the place where the declarer may have resided, and the declaration required in No. 3 is to be made before the respective Portuguese Consular Agents or before the proper foreign authority.

Paragraph 2. A minor may, on his coming of age or on his being emancipated, by means of a fresh declaration to be made before the Municipality of the place selected by him for his domicile, revoke the declaration made during his minority by his father or guardian in accordance with No. 2.

Article 19. All foreigners, either of age or considered as such in accordance with the law of their own country and with Portuguese law, may be naturalized, provided—

1. They are able to earn their livelihood by their work or else have other means of subsistence.

2. They shall have resided at least during one year in Portuguese territory.

Paragraph. Any foreigners, however, descendants of Portuguese blood either in the male or in the female line, and coming to this country for the purpose of establishing their domicile therein, may be naturalized independently of the clause set forth in No. 2.

Article 20. The Government have the power to remit the whole or part of the period of residence required in No. 2 of the foregoing Article in the case of a foreigner married to a Portuguese woman, or in favour of any person who may have rendered or who may be called to render any important service to this nation.

Article 21. No letters of naturalization will have their full effect and validity until they shall have been registered in the archives of the Municipal Chamber of the district ("Concelho") where the foreigner's domicile may have been established.

Title III.—*In what manner the Quality of Portuguese Citizenship is forfeited.*

Article 22. The quality of Portuguese citizenship is forfeited in the following cases:—

1. If any person is naturalized in a foreign country. He may, however, recover his Portuguese nationality should he return to this country with the intention or animus of establishing his domicile therein, and on his declaring that intention before the Municipality of the place which he may have selected for his domicile.

2. If any person shall accept, without the permission of the Government, from any foreign Government any appointment to any public post, or any office, mark of distinction ("graca"), pension, or decoration; he may, however, recover his nationality by a special favour on the part of the Government.

3. If any person shall be banished from the kingdom by the sentence of a Judge, so long as its effects are in force.

4. If a Portuguese woman marries a foreigner, unless she is not *ipso facto* naturalized by the law of the country of her husband. On a dissolution, however, of the marriage, she may recover her Portuguese nationality by complying with the provision set forth in the second part of No. 1 of this Article.

Paragraph 1. The naturalization in a foreign country of a Portuguese married to a Portuguese woman does not entail the loss of Portuguese nationality as far as the wife is concerned, unless she should declare that it is her wish to follow the nationality of her husband.

Paragraph 2. The naturalization, likewise, in a foreign country of a Portuguese married to a woman of foreign nationality, does not entail the loss of Portuguese nationality as regards the children of such marriage (while they are minors), who may have been born previous to such naturalization, unless they should, after coming of age or being emancipated, declare that they wish to follow the nationality of their father.

Article 23. Any persons who may recover their Portuguese nationality, in accordance with the provisions contained in the foregoing Article, shall only be able to avail themselves of their rights thus accruing to them, from and after the date of the aforesaid recovery.

ROUMANIA.

No. 17.

Mr. C. Hardinge to the Earl of Rosebery.—(Received November 21.)

My Lord,

Bucharest, November 16, 1892.

IN accordance with the instructions contained in your Lordship's Circular of the 13th ultimo, I have the honour to transmit herewith to your Lordship a copy and translation of the Laws in force in Roumania relating to nationality and naturalization, which have been furnished to me by the Minister for Foreign Affairs.

As regards the necessary conditions which constitute a right to Roumanian nationality, I have, upon inquiry, ascertained that the son of a Roumanian father is a Roumanian subject, whatever may have been the country of his birth, and that the same right descends to endless generations, provided that it has not been lost in any of the ways indicated in Article 17 of the Civil Code herewith inclosed.

Birth on Roumanian soil does not give the right to Roumanian nationality, although the onus devolves upon the person thus born to prove his foreign nationality. Those born on Roumanian soil of fathers who are not Roumanians can only acquire the status of a Roumanian subject by obtaining naturalization in the prescribed form.

I have, &c.

(Signed) CHARLES HARDINGE.

Inclosure 1 in No. 17.

Articles 7 and 9 of the Constitution.

(Translation.)

ARTICLE 7. The difference of religious faith or confession does not constitute an obstacle to obtaining and exercising civil and political rights in Roumania.

§ 1. Any foreigner, without distinction of religion, whether a subject or not of a foreign protecting Power, can obtain the status of a natural-born subject under the following conditions:—

(a.) He must address to the Government a demand for naturalization, in which he must state the capital he possesses, the profession or trade that he pursues, and his readiness to establish his domicile in Roumania.

(b.) He must reside in the country for ten years after this demand, and he must prove by his actions that he is useful to the community.

§ 2. The following are permitted to dispense with the probationary period:—

(a.) Those who have introduced into the country industries, useful inventions, or distinguished talents, or who have founded large establishments of industry or commerce in the country.

(b.) Those who have been born and brought up in Roumania, of parents established in the country who have neither of them enjoyed foreign protection.

(c.) Those who have served with the colours at the time of the War of Independence, and who can be naturalized collectively in accordance with the proposal of the Government by one law and without further formalities.

§ 3. Naturalization can only be granted by law, and individually.

§ 4. The manner in which foreigners shall be able to establish their domicile on Roumanian territory will be determined by a special law.

§ 5. Only Roumanians and naturalized Roumanians can acquire real property in the country districts of Roumania.

Rights already acquired are respected.

The existing international Conventions remain in force with all the clauses and restrictions therein contained.

Article 9. A Roumanian of any condition, without regard to the country of his birth, can, on proving that he has renounced his right to foreign protection, obtain immediately the right to exercise his political rights by a vote of the Legislative Chambers.

Inclosure 2 in No. 17.

Articles 17, 18, 19, and 20 of the Civil Code.

(Translation.)

ARTICLE 17. The status of a Roumanian subject is lost—

- (a.) By obtaining naturalization in a foreign country;
- (b.) By accepting without the permission of the Roumanian Government a public position under a foreign Government;
- (c.) By submission, for however short a space of time, to the protection of a foreign Power.

Art. 18. A Roumanian who has lost his status of Roumanian subject can reacquire it by returning to Roumania with the authorization of the Roumanian Government, and by declaring his wish to establish himself in the country, and that he renounces all distinctions contrary to Roumanian law.

Art. 19. A Roumanian woman who marries a foreigner acquires her husband's status; in the event of her becoming a widow she reacquires her Roumanian status.

Art. 20. A Roumanian who, without the consent of the Government, enters into the military service of a foreign Power, or becomes attached to a foreign military body, loses his Roumanian status.

He can only return to Roumania by permission of the Government. He cannot reacquire his Roumanian status except by conforming to Article 18; all this, without being exempted from the sentences prescribed by the criminal law against Roumanians who have borne arms, or who have intended to bear arms, against their country.

RUSSIA.

No. 18.

Sir R. Morier to the Earl of Rosebery.—(Received December 28.)

My Lord,

St. Petersburg, November 22, 1892.

WITH reference to your Lordship's Circular despatch of the 13th instant, I have the honour to transmit to your Lordship herewith a translation of the Laws in Russia relating to nationality and naturalization, together with a Memorandum on the subject by Mr. Consul Michell.

I have, &c.
(Signed) R. B. D. MORIER.

Inclosure 1 in No. 18.

Laws relating to Foreigners in Russia.—Vol. IX of the Code of Laws of the Russian Empire, §§ 1010–1031.

Order of Admission of Foreigners to Allegiance.

(Translation from the Russian.)

§ 1010. A foreigner must be domiciled in the Russian Empire before he can become a Russian subject.

§ 1011. A foreigner wishing to become domiciled in Russia must inform the Governor of the province in which he wishes to reside of his desire to do so, explaining the nature of his occupations in his own country, and the pursuits he proposes to follow in Russia. On receipt of such declaration the Governor of the Province grants a certificate, from the date of which the petitioner is considered to be domiciled in Russia, but will nevertheless be considered an alien and subject to all Laws relating to aliens, until he shall be admitted to Russian nationality.

§ 1012. Foreigners resident in Russia before the 10th February, 1884, and distinguished in art, trade, commerce, or in any other public pursuit, may prove their previous domiciliation by other legal documents than that mentioned in § 1011. The date of their domiciliation will be reckoned from the oldest document which they shall have presented.

§ 1013. After being domiciled five years in Russia, an alien may apply to be admitted to Russian allegiance. The cases in which the period of domiciliation may be shortened are laid down in §§ 1016, 1023–1025.

Observation.—The Conventions concluded with foreign States relative to the subject indicated in this paragraph remain in force.

§ 1014. Alien married women cannot become Russian subjects independently of their husbands.

§ 1015. The admission to Russian allegiance is always personal in reference to the individual who may have been deemed worthy of it, with the exception laid down in § 1028, and does not affect children, whether of age or minors, previously born. Those born after the admission of their parents to Russian allegiance are acknowledged to be Russian subjects.

§ 1016. The period of domiciliation preliminary to admission to Russian allegiance, may be shortened with the sanction of the Minister of the Interior, in favour of foreigners who have rendered Russia special services, or who may be remarkable for their talents, scientific attainments, &c., as also in the case of those who may have invested considerable capital in Russian undertakings of public utility. In all other respects the general rules above laid down shall extend also to such foreigners.

§ 1017. A Petition praying for admission to Russian allegiance shall be presented to the Minister of the Interior, and must contain the following particulars:—

1. As to where the petitioner resided during the whole time of his domiciliation in

Russia, the nature of his occupations, and the certificates in his possession respecting his mode of life;

2. As to the class or social corporation he wishes and has a right to be attached to;

3. As to the town in which he wishes to take the oath of allegiance; and

4. As to the grounds on which he seeks, should he do so, the privilege of abridged domiciliation.

§ 1018. The Petition praying for admission to allegiance must be accompanied by—

1. Certificates of the status of the petitioner, drawn up in the legal form of his country, and attested by Russian Diplomatic Agents abroad and the Minister for Foreign Affairs, or, in the absence of Diplomatic Representatives in the country of the petitioner, by the Ministry itself;

2. A certificate of the preceding domiciliation in Russia of the petitioner.

§ 1019. Foreigners of the male sex liable by the laws of their country to military conscription shall, in addition to the documents mentioned in the preceding paragraph (§ 1018), present a certificate issued by the States with which Russia has concluded Conventions for the surrender of persons liable to conscription, to the effect that the petitioner, seeking release from allegiance to them, has performed his military duties or been absolved from them.

§ 1020. On the strength of the Petition presented, the Minister of the Interior either grants it or refuses to admit the petitioner to Russian allegiance, notwithstanding that such petitioner may have observed all the required formalities for the purpose.

§ 1021. The admission to allegiance is effected by the taking of an oath of the same.

§ 1022. Prescribes the mode of administration of the oath of allegiance and the issue of certificates of such administration.

§ 1023. Children of aliens, not Russian subjects, born and educated in Russia, or, if born abroad, yet who have completed their education in a Russian upper or middle school, acquire the right of being admitted to Russian allegiance, should they desire it, within one year after the date on which they shall have attained their majority. Those who have not allowed this period to elapse may be sworn to allegiance by the Provincial Boards, which at the same time shall decree their admission to that civil status to which they have a right to belong. In all cases of the taking of an oath of allegiance or of fidelity of service to the State, the presentation of the certificates mentioned in §§ 1018 and 1019 by those States with which military Conventions have been concluded, is absolutely necessary. Such children of aliens who shall not within the period above prescribed either take an oath of allegiance or enter the service of the State, may subsequently become Russian subjects only by the observance of the general rules laid down in §§ 1010-1012 for other foreigners.

§ 1024. Children of foreigners, when of age, whose parents shall have been admitted to Russian allegiance in accordance with the provisions of §§ 1010-1012, may become Russian subjects in the manner prescribed by § 1023, either simultaneously with their parents, or during the course of one year from the period of the admission of the latter to Russian allegiance, and on the presentation of the documents specified in §§ 1018 and 1019, excepting only the certificate of domiciliation.

§ 1025. Aliens in the Russian Military or Civil Service, as also ecclesiastics of foreign persuasions, admitted into the Russian Service, shall, on their desire, at all times be allowed to take the oath of allegiance and without observing a period of domicile.

§ 1026. A Russian subject married to an alien husband and therefore considered an alien, may, on the death of her husband, or in the event of her divorce, retain her former allegiance. In such case she is only bound to present to the Governor of the province in which she will reside a due certificate as to her being no longer a married woman. The certificate issued by the Governor to the effect that the above-named document has been exhibited to him, shall serve for the bearer as proof of her return to Russian allegiance.

§ 1027. The children of a Russian subject married to an alien husband, but who has become a widow or been divorced, become subject in the matter of allegiance to the operation of § 1023.

§ 1028. Alien women marrying Russian subjects, and the wives of aliens who have become Russian subjects, thereby become Russian subjects, without taking an oath of allegiance. Widows and divorced wives retain the nationality of their husbands.

§ 1029. The admission to Russian allegiance of colonists, foreigners settling in Russia for agricultural purposes as labourers on estates, as also of Bulgarians migrating to the Provinces of Tiflis, and of other co-religionists settling in the Novorossisk region, and likewise foreigners inscribing themselves as burghers, and removing to Russia from the provinces of the Kingdom of Poland, &c., shall be effected under special Regulations.

§ 1030. Foreigners who have become Russian subjects acquire thereby all the rights and become subject to all the obligations of the class with which they have been incorporated, without distinction from native-born subjects.

§ 1031. In the Trans-Caspian region foreigners, recognized as trustworthy, are granted by the Viceroy, though not more than ten men at a time, an exemption of ten years from the payment of town and territorial taxes.

Release from Russian Allegiance.

Foreigners who have become Russian subjects may be released from Russian allegiance under the provisions of § 486, Observation 19, Vol. 14, of the Code of Laws, which are to the following effect:—

“Aliens who shall have adopted Russian nationality, may revert to their former allegiance, on payment of all claims against them (Government, public, private).

“Aliens who have been divested of their Russian allegiance, may either quit the country or remain in Russia, enjoying the same rights as other aliens; but they must provide themselves with national passports, if residing in European Russia and belonging to a country in Europe, within a year, and within two years if residing in Siberia, or having to obtain national passports from a country not in Europe.”

By Circular dated the 18th August, 1877, of the Department of Police of the Ministry of the Interior, promulgated with the assent of the Ministers of the Interior, Foreign Affairs, and Chief of Political Police, it was ordained that all persons who had been released from their Russian allegiance and left Russia, shall not be allowed to re-enter the country as foreigners before the expiration of five years.

St. Petersburg, November 21, 1892.

Inclosure 2 in No. 18.

Memorandum.

THE character and status of a Russian subject is derived, as a general principle, from parentage, irrespective of place of birth.

The Russian Code of Laws makes no direct provision for the release from Russian allegiance of natural born Russian subjects, such release depending entirely on the personal will of the Sovereign, which, however, is not frequently exercised. The only indirect allusion to the subject is found in the Law of Military Conscription, which provides that no person under the age of 15 years can be released from Russian allegiance until he has discharged his military duties, or drawn a lot which frees him from military service in the active army.

It may be generally said that the Russian Code of Laws treats only of the naturalization of, and release from Russian allegiance of, aliens who have become Russian subjects by naturalization or special permission.

Aliens may become naturalized in Russia on taking an oath of fidelity to the Emperor, and after they have resided continuously in the country during five years, and also provided, if of the male sex, they have completed their term of military service in the country of their original allegiance, with which Russia may have a special Military Convention.

In special cases the condition of five years' residence is dispensed with.

At the same time, the admission of a foreigner to Russian allegiance is discretionary on the part of the Minister of the Interior, who may, if he sees fit, refuse the naturalization of a foreigner notwithstanding that the latter may have qualified himself for that purpose by domiciliation, &c.

The children of aliens born before the admission of their parents to Russian nationality remain alien; those born after are deemed Russian; the former, however, if born and educated in Russia, or even born out of it, but having completed their education at a Russian upper or middle class school, may claim Russian nationality within a year of attaining their majority. Aliens who have been naturalized in Russia may with comparative facility obtain release from their Russian oath of allegiance, the conditions for such release only being that they shall satisfy all money claims both on the part of the Crown and of private individuals against them, and that, if they leave the country, they shall not return to it as foreigners before the expiration of five years. On remaining in Russia after their release from Russian allegiance, they enjoy the same rights as all other aliens.

(Signed)

JOHN MICHELL.

St. Petersburg, November 21, 1892.

SERVIA.

No. 19.

Lord Vaux to the Earl of Rosebery.—(Received November 7.)

My Lord,

Belgrade, November 2, 1892.

IN accordance with the instructions contained in your Lordship's Circular of the 13th ultimo, I have the honour to forward herewith translations of the Laws of Servia relating to nationality and naturalization, together with observations on the same.

I have, &c.

(Signed) VAUX OF HARROWDEN.

Inclosure in No. 19.

Servian Nationality and Naturalization.

ARTICLE 44 of the Civil Code says:—

"The quality of Servian citizenship is obtained either by birth or by virtue of naturalization; so that all the inhabitants of Servia who enjoy civil rights are divided into either natural or naturalized Servian citizens. The civil rights of natural Servians are transmitted from father to son by Nature itself. The stranger can only acquire naturalization after having resided for seven years in the country, either as a functionary in the service of the State, or as an artizan or agriculturist, or in some other honourable condition, and provided that during this space of time his conduct has been irreproachable, and that he has conformed to the laws of the country without having committed any crime. If he has not resided in Servia during the above-mentioned period, Servian nationality can only be granted to him in virtue of a special authority from the King, in conjunction with the Council of State."

Article 48 says:—

"A foreign woman who has married a Servian, shall follow the condition of her husband as regards her civil rights, in all cases where the foreign Power gives the same rights to a Servian woman who has married one of its subjects. In the same way a Servian woman who marries a foreigner shall lose her Servian nationality, in all cases where the foreign Power withdraws the right of citizenship from such of its female subjects as marry Servians."

Article 7 of the Decree of the 20th January, 1860, says:—

"A foreigner who, under the protection of the Servian laws, has lived in the country uninterruptedly, and in an honourable manner, during seven years, may be received and take the oath of Servian citizenship, without having obtained from his Government a special authorization to renounce his nationality of origin. Servian nationality may be refused for grave reasons."

There is thus a further category of persons who are considered as Servians or as Servian-protected subjects. The legal position of such persons so long as they shall not have taken the oath of Servian citizenship is defined as follows, by Article 9 of the same Decree:—

"They" (Servian-protected subjects) "are not granted the exercise of political rights, they have only the enjoyment of civil rights, and after two years' residence in the country they are liable to pay the same taxes as persons of Servian nationality.

"Finally, from the day on which they make the declaration submitting themselves to and accepting the protection of the Servian laws, they are amenable to the jurisdiction of all the authorities of the country."

Article 22 of the Constitution of 1869 says:—

“The conditions of admission to Servian nationality, the rights which are attached to it, and the manner in which it may be lost, are determined by the law” (that is to say, by the Articles of the Civil Code which I have cited).

The authorization to renounce the nationality of origin referred to in Article 7 is only required in the case of persons belonging to a nation which has special Treaty stipulations against the granting of Servian nationality to its subjects. Such a stipulation for instance is contained in Article II of the Austro-Hungarian Commercial Treaty with Servia. Article 7 of the Decree above mentioned provides the means, however, by which this stipulation can be avoided, namely, by first becoming a Servian-protected subject.

There appear to be no legal decisions of the Servian Courts on the subject of nationality or naturalization. A case is, however recorded in which at the instance of the French Minister the permission of the Servian authorities to become a naturalized Servian subject was withdrawn from a Frenchman who had applied for it.

I am indebted for the above particulars to M. E. Vavasseur, of the Servian Ministry of Foreign Affairs, and to an article entitled “De la Condition juridique des Étrangers en Serbie,” contributed to the “Journal du Droit International Privé,” by M. G. Pavlovitch, late President of the Belgrade Court of Appeal, and which he very kindly placed at my disposal.

(Signed)

VAUX OF HARROWDEN.

Belgrade, November 2, 1892.

Spanish Nationality.

The Constitutions of State promulgated in the years 1845, 1869, and 1876—the last-named being at present in force—determine who are to be considered as Spaniards.

Article 1 of Chapter I of this Constitution defines who are to be held to be Spaniards.

The Article in question was reproduced by the Civil Code of 1888, and its provisions are set forth in Article 17.

On the 11th May, 1888, a Royal Order authorized the compilation of a Civil Code, drawn from the Constitution of 1876 and from the existing Laws. This Code was published on the 6th October, 1888, and a new edition, with some corrections, was published subsequently on the 24th July, 1889.

From the Civil Code, the following Article (17) defines the position of a Spaniard:—

“Article 17. Are Spaniards—

- “1. Persons born on Spanish territory.
- “2. Children of Spanish father or mother, although born out of Spain.
- “3. Foreigners who have obtained papers of naturalization.
- “4. Persons who, without such papers, have acquired ‘vecindad’* (*lit.* neighbourhood) in some town in the kingdom.”

The above Article (No. 17) reproduces *verbatim* Article 1 of the Constitution of 1876, which in turn took it from the Constitutions of 1837 and 1845.

The Constitution of 1812 defined Spaniards in Article 5:—

“Are Spaniards—

“1. All free men born and ‘avecindados’ (*i.e.*, having acquired ‘vecindad’) in Spanish dominions, and their children.

“2. Foreigners who have obtained from Parliament (‘Cortes’) papers of naturalization.

“3. Foreigners who, without such papers, have ten years of ‘vecindad,’ acquired according to the requirements of law in any town in the kingdom.

“4. Freedmen, from the moment of acquiring freedom in Spain.”

Naturalization of Foreigners.

By the Constitution of 1812 naturalization was only obtainable from the Cortes.

The Political Constitution of 1845, in Article 1, stated that a Law would be promulgated laying down the rights which foreigners should enjoy who obtain papers of naturalization or who acquire “vecindad.”

This Law has never been issued; but by Royal Decree of the Royal Council (now Council of State), of the 22nd September, 1845, Article 7, and No. 48 of the Law of the 17th August, 1860, it was established as a rule that “the Government shall consult with that body (the Council), respecting naturalization of foreigners.”

From this it has come to be the practice that the Government grants naturalization to foreigners in Spain without reference to the Cortes, but after previous consultation with the Council of State. This was further demonstrated by the Royal Order of the 30th April, 1884, published in the “Madrid Gazette” of the 26th June, 1884, in which it was decided that all questions relative to the civil or national status of persons should be dealt with by the ordinary Courts of Justice.

This Order is as follows:—

Royal Order, April 30, 1884, published in “Gazette” of June 26, 1884.

(Translation.)

“Sir,

“The Court of ‘Contencioso’ of your exalted body has consulted this Ministry as follows:—

“The Court of ‘Contencioso’ of this Council has examined the appeal, copy inclosed, presented by the Licentiate Don Francisco Pí y Margall, in the name of Doña Victorina Puig y Carbonell, against the Royal Order issued by the Ministry you so worthily preside, on the 23rd March, 1882, which declared that Don José Pfeiffer y Pourtech is a Spanish subject, without being required to have papers of naturalization to be considered as such.

“It appears that on the 13th December, 1881, Don José Pfeiffer requested that Spanish nationality should be granted to him, and after previous consultation with the competent Section of this Council the above-mentioned Royal Order of the 23rd March, 1882,

* The conditions for the acquirement of ‘vecindad’ are set forth on p. 88.

decided in his favour, a decision founded on the fact that the interested party had been born in Spanish territory, that he had resided for ten years in Barcelona, and that he was in the enjoyment of his civil rights as a Spanish subject; that the Licentiate Don Francisco Pi, in representation of the person above named, lodged a petition in the Court of 'Contencioso' against the said Royal Order, alleging the legal grounds which he considered pertinent to his purpose of getting it annulled, and setting forth that the concession of the rights of a Spanish subject granted to Pfeiffer by the Royal Order would give him legal capacity to discharge the duties of tutor and guardian of the son of the late Don Mario Puig, a capacity which the petitioner refused to recognize before the Tribunals; that the appeal and its antecedents having been submitted to the Fiscal* of His Majesty, he is of opinion that it ought not to be admitted, seeing that the plaintiff did not demonstrate the necessity in virtue of which he could assume the injury which he supposed inflicted on him by the decision of the Royal Order as to the rights of Don José Pfeiffer, and therefore the base was wanting upon which the sentence sought for could be upheld.

"In view of Article 56 of the Organic Law of this Council, according to which those who consider themselves injured in their rights by any decision of the Government or the Directions-General affecting their legal status can have recourse to appeal before the Court of 'Contencioso':

"Considering:—

"1. That the injury which the plaintiff alleges emanates from the supposition that the contested Royal Order grants to Don José Pfeiffer a legal capacity which the petitioner denies him before the Tribunals of the ordinary jurisdiction;

"2. That the Royal Order impugned by the appeal only declares that in the case at issue Don José Pfeiffer requires no papers of naturalization in order to be considered as a Spanish subject; but such declaration does not hinder the Tribunals of ordinary jurisdiction from appreciating everything concerning the legal capacity of said Pfeiffer, and pronouncing on the exceptional points on which Doña Victorina Puig rests her appeal, inasmuch as everything concerning the civil status of individuals is of the competency of said Tribunals, and cannot constitute matter peculiar to the Court of 'Contencioso Administrativo':

"The Court, in conformity with the decision of the Fiscal of His Majesty, opines that the appeal referred to should not be admitted.

"And His Majesty the King, conforming to the aforesaid decision, has been pleased to resolve as therein proposed.

"By Royal Order I communicate this to your Excellency, for its execution and ulterior effects. May God preserve your Excellency many years.

"Madrid, April 30, 1884.

(Signed)

"FRANCISCO ROMERO Y ROBLEDO.

"To the President of the Council of State."

Art. 18 (Civil Code). "Children, as long as they remain under *patria potestas*, follow the nationality of their parents.

"In order that children born of foreign parents on Spanish territory may enjoy the advantages of paragraph 1 of Article 17, the parents must declare in the required manner, and before authorities specified in Article 19, that they opt, in the name of their children, for Spanish nationality.

"Art. 19. Children born of a foreigner in the Spanish dominions must declare, within a year following their majority or emancipation, that they wish to enjoy the status of Spaniards, as granted by Article 17.

"Those who live in the kingdom must make this declaration before the Civil Registrar of the town in which they reside; those who reside abroad, before a Spanish Consular or Diplomatic officer, and those resident in a country where the Spanish Government have no Agent, by application to the Minister of State in Spain."

This Article 19 was changed into its present form by the Royal Order of the 24th July, 1889.

As it was formerly worded, immediately after the sentence ending "Spanish dominions" in the first paragraph, stood the words "and the children born of Spanish father or mother out of Spain."

These words were excised from the revised Code, the reason alleged being that the law did not consider that the children born of Spaniards abroad should be obliged to make any declaration to enable them to be recognized as Spaniards. Such children are *de facto* and *de jure* Spaniards without any restrictions or limitations.

* "Fiscal" nearly corresponds to "Public Prosecutor."

"Art. 20. Spanish nationality is lost by the acquisition of naturalization in a foreign country; by the acceptance of employment from a foreign country; or by taking arms in the service of a foreign Power without the King's permission."

Article 1, 2nd paragraph, of Constitution of 1876.

"The status of a Spaniard is lost by the acquisition of naturalization in a foreign country, or by accepting employment from a foreign Government without the King's permission.

"Art. 21. The Spaniard who loses his nationality by acquiring naturalization in a foreign country, can recover it by returning to the Kingdom and declaring his will and intention before the Civil Registrar of the district in which he elects to be inscribed, and by renouncing the protection of the flag of the foreign country (in which he had been naturalized).

"Art. 22. The married woman follows the condition and nationality of her husband.

"The Spanish woman who marries a foreigner can, on dissolution of the marriage, recover Spanish nationality by fulfilling the requirements laid down in the preceding Article."

This Article (22) was changed in 1889 by the Royal Order of the 24th July above mentioned.

It had formerly stood as follows:—

"The Spanish woman who marries a foreigner follows the condition of her husband, but, on dissolution of the marriage, she may recover Spanish nationality by fulfilling the requirements laid down in the preceding Article (21)."

"Art. 23. The Spaniard who loses his status by accepting employment from another Government, or by taking arms in the service of a foreign Power without the King's permission cannot recover Spanish nationality without previously obtaining Royal express permission for that purpose ('rehabilitation')."

The reason for this special provision (in Article 23) is clear. Although, when a man expatriates himself merely for the purpose of being naturalized in a foreign country, no Royal licence is required for recovering his lost Spanish nationality, yet, in the case of his having held military or other service, it is conceivable that obligations may bind him to that foreign country, connected with the authoritative capacity in which he had formerly been employed.

"Art. 24. Persons born of Spanish father or mother in a foreign country who have lost Spanish nationality through their parents having lost it, may recover it by fulfilling the requirements of Article 19.

"Art. 25. In order that foreigners who have obtained papers of naturalization or 'vecindad' in any town in the kingdom may enjoy Spanish nationality, they must previously renounce their former nationality, take the oath of allegiance to the Constitution of the Monarchy, and inscribe themselves as Spanish in a Civil register.

"Art. 26. Spaniards who change their domicile to a foreign country, in which they are regarded as natives from the simple fact of their residence there, must, in order to retain their Spanish nationality, make known their will to the Spanish Diplomatic or Consular Agent, who will inscribe them in the register of resident Spaniards, as well as their wives, if they are married, and their children, if they have any."

Domicile of Diplomats (Spain).

For diplomats resident by reason of their duties in a foreign country, the domicile is determined by the last they possessed in Spanish territory, *i.e.*, their last habitual residence in Spain.

(B.)—*Foreigners.*

CONTENTS.

Foreigners.	Articles, &c.
Who are	Article 1, Royal Decree, November 17, 1852.
Naturalized foreigners, or with "vecindad"	Article 2.
Domiciled or transitory foreigners	" 3.
Municipal Law of October 2, 1877	Articles 11-16.
Domiciled foreigners for legal purposes	Article 4.
Transitory foreigners	" 5.
Military service. Exemption for domiciled and transitory foreigners	" 24.
Disability for foreigners to exercise municipal rights in elections. Foreigner obtaining naturalization without authorization of his Government	" 27.
Status of foreigners in Spain	" 45.
Permission to foreigners to establish themselves in Spain	Article 27, Civil Code.
Disability of foreigners to hold posts of authority or jurisdiction in Spain	Article 2, Constitution, 1876.
Treaties between Spain and foreign countries respecting rights of foreigners	" " "
Treaty with England respecting Companies of January 29, 1883..	" "

Foreigners.—Acquisition of Spanish Nationality.

From an examination of Spanish history, it appears that, formerly, the constant object of the Government was to place every obstacle in the way of foreigners—especially Englishmen and Dutchmen, on account of their religious opinions—from acquiring rights, whether as naturalized persons or merely as denizens, in the Spanish dominions.

These obstacles have long since disappeared. The present practice of granting naturalization to foreigners is dealt with in Part (A), p. 84, of this Report.

The definition as to what persons are considered foreigners, is contained in the following Royal Decree of the 17th November, 1852 :—

Foreigners.—Royal Decree of November 17, 1852.

(Translation.)

" Chapter I.—Of Foreigners and their Classification in Spain.

" Article 1. Are foreigners—

" (1.) All persons born of foreign parents out of Spanish dominions.

" (2.) Persons born of foreign father and Spanish mother out of Spanish dominions, except when they claim Spanish nationality.

" (3.) Persons born in Spanish territory of foreign parents, or of foreign father and Spanish mother, except when they claim Spanish nationality.

" (4.) Persons born out of Spanish territory of parents who have lost Spanish nationality.

" (5.) A Spanish woman who contracts marriage with a foreigner.

" National vessels, without distinction, are considered as part of the Spanish dominions.

" Article 2. Foreigners who have obtained papers of naturalization or acquired 'vecindad'* in accordance with the laws, are held to be Spaniards.

" Art. 3. All others resident in Spain, without having obtained papers of naturalization or acquired 'vecindad,' are domiciled or transitory foreigners."

* For "vecindad," four indispensable conditions are attached :—

1. The person must be a Spaniard.
2. The person must be emancipated.
3. Habitual residence in the municipal district is required.
4. Inscription to that effect in the "padron," or register of the town.

The absence of any of these disqualifies for "vecindad."

Municipal Law of October 2, 1877.

(Translation.)

"Art. 11. The inhabitants of a municipal district are :—

"(i.) Residents.

"(ii.) Transitory.

"Residents are subdivided into—

"(a.) 'Vecinos.'

"(b.) 'Domiciliados.'

"Art. 12.—(a.) Is 'vecino,' every Spaniard who resides habitually in a municipal district, and is inscribed as such in the Register of the town.

"(b.) Is 'domiciled,' every Spaniard who, without being emancipated, resides habitually in the district, forming part of the household or family of a 'vecino.'

"(ii.) Is transitory, every one who, not being included in the preceding paragraphs, happens to be in the district.

"Art. 13. Every Spaniard must be registered as a 'vecino' or 'domiciliado' in some Municipality.

"Any person who has a choice of residence in different Municipalities, will opt for "vecindad" in one of them.

"No one can be 'vecino' of more than one town; if any man is inscribed in the Register of two or more towns, the 'vecindad' last declared shall be considered as effective, the previous ones being from that date annulled.

"Art. 14. The status of 'vecino' is declared officially, or on the petition of the party interested, by the Municipal Council concerned.

"Art. 15. The Municipal Council shall declare officially to be 'vecino' every Spaniard who is emancipated, and who, at the time of filling up or verifying the Register, has concluded two years of continued residence in the municipal district.

"The Municipal Council shall likewise make a similar declaration as to those who at the same time fill public duties which require fixed residence in the district, even though they have not completed the two years.

"Art. 16. The Municipal Council shall declare to be 'vecino,' at any time of year, any person who makes request to that effect, without his being for that reason exempt from the fulfilment of municipal duties required up to that time in the town in which he formerly resided.

"The petitioner must prove that he has completed at least a residence of six months of an effective and continued character."

"Art. 4. Shall be considered to be domiciled for legal purposes, persons who are established in a home or residence fixed or prolonged for three years, and who possess movable or immovable property, or have their business or calling in Spanish territory, with the permission of the civil authority of the province.

"Art. 5. Shall be considered transitory ('transeuntes'), all foreigners who have no fixed residence in the kingdom, in the manner stated in the preceding Article."

"Art. 24. Persons domiciled, as well as transitory, and their children, provided they have not opted for Spanish nationality, shall be exempted from military service.

"This exemption does not extend to the grandchildren when their parents were born in Spanish territory, even though they retain their foreign nationality."

"Art. 27. Foreigners cannot exercise municipal rights in the elections for Municipal Councils ('Ayuntamientos'), nor obtain municipal office, nor employment in the various offices of the State, unless they expressly renounce for themselves and their children the exemption from military service, and all foreign protection relative to the execution of their offices.

"For the purposes of this renunciation, which shall be made before the superior civil authority of the province, and which shall be noted as required in the several Registers, they must previously be inscribed in the class of domiciled foreigners."

"Art. 45. The foreigner who has obtained naturalization in Spain, as well as the Spaniard who has obtained it in the territory of another Power, without the knowledge or authorization of the respective Governments, shall not be exempted from the obligations consequent upon the original nationality, even though the Spanish subject loses in other respects the status of a Spaniard, in conformity with the provisions of paragraph 5 of Article 1 of the Constitution of the Monarchy."

(The paragraph alluded to is as follows :—

"The status of a Spaniard is lost by the acquisition of naturalization in a foreign country, and by accepting employment from another Government without the King's permission.")

"When, therefore, a foreigner has been naturalized in Spain without authorization of his Government, and pretends by this means to be exempt from the obligations of military service, or other obligations to which he might be liable in his original country, the Spanish Government shall not support the exemption, nor shall it recognize the exemption in the case of a Spaniard who alleges his change of nationality without having obtained the necessary authorization."

Art. 27 (Civil Code). "Foreigners enjoy in Spain the rights which the Civil Laws grant to Spaniards, conformably to the provisions of Article 2 of the Constitution of State and those of International Treaties."

Article 2 of the Constitution runs as follows :—

"Foreigners can freely establish themselves in Spanish territory, to exercise there their profession, or to devote themselves to any trade, for the performance of which the laws do not require certificates of qualification ('titulos de aptitud') issued by the Spanish authorities.

"Persons who have not been naturalized cannot hold any post in Spain which has authority or jurisdiction attached to it."

Treaties between Spain and Foreign Countries respecting Rights of Foreigners.

With—

Italy, 1867.

Holland, 1871.

Greece, 1875.

Belgium and Denmark, 1878.

Switzerland, 1879.

Austria, 1880.

France, 1882.

Sweden, Norway, and Germany, 1883.

The Treaty between Spain and Belgium, 1878, provides that the subjects of either Contracting Party shall enjoy, reciprocally, as far as regards person and property, the most-favoured-nation treatment, foreigners being assimilated in all cases to natives as far as concerns the right to acquire, possess, or dispose of any kind of property.

The Treaty with Austria, 1880, provides that, for the acquisition and possession of landed property, as well as for the disposal of the same, and for the payment of taxes, contributions, or duties of transmission, the subjects of either of the Contracting Parties shall enjoy in the territory of the other the privileges accorded to its natives.

The Treaty with Germany, 1883, according to the Convention signed in Madrid on the 28th August, 1886, provides that the subjects of one of the Contracting Parties shall have in the territory of the other the same rights as natives for the acquisition and possession of movable and immovable property, and for the disposal of the same by sale, exchange, last will, or other means, as well as by inheritance according to testament or law, and they shall not in such cases be subjected to higher duties than natives. They shall have free access to the Courts for suing and being sued, and shall enjoy all the privileges and exemptions allowed to natives.

The other Treaties contain the same principles as to reciprocal rights.

No such Treaty exists with Great Britain; but it may be well to mention the Declaration signed at Madrid on the 29th January, 1883, respecting Joint Stock Companies.

This provides that Joint Stock Companies and other Associations, commercial, industrial, and financial, constituted in conformity with the Laws in force in either of the two Contracting States, may exercise in the dominions of the other all their rights, including

that of appearing before Tribunals for the purpose of bringing or defending an action, with the sole condition, in exercising such rights, of always conforming to the laws and customs in force in the said dominions.

(C.)—*Civil Registration.*

CONTENTS.

Civil Registration.	Articles.
Registration, Regulations for	Articles 325, 326, 327, 330, 332, Civil Code.
I. Cf registration of children in Direction-General. (Law of Civil Registration, June 19, 1870):—	
(1.) Born abroad	Article 2.
(2.) On Spanish ships	" 2.
(3.) Of soldiers abroad	" 2.
(11.) Registration of naturalization papers when no Spanish domicile is chosen	" 2.
Registration of declarations when no Spanish domicile is chosen:—	
(12.) Of option for Spanish nationality	" 2.
(13.) Of Spaniards who have lost their status. Their desire to recover	" 2.
(14.) Of persons born abroad of Spanish father or mother..	" 2.
(15.) Of Spanish woman married to foreigner. After decease of husband	" 2.
II. Of registration by Spanish Diplomatic and Consular Agents abroad	" 4.
(1), (2), (3). Of births, marriages, and deaths of Spaniards abroad	" 4.
(4.) Declarations of Spaniards abroad to retain their nationality	" 4.
(5.) Declarations comprised in (12), (13), (14), and (15) of Article 2	" 4.
III. Inscriptions of citizenship:—	
Registrations of change of nationality	" 96.
Registrations involving change of nationality. Certificates required	" 97.
Emancipation or majority necessary for registration involving change of nationality	" 98.
Change of nationality to be noted in certificate of birth. Penalties for non-compliance	" 99.
Requirements in all registrations as to domicile, names and surnames, profession, &c., of interested party ..	" 100.
Registration of Spanish naturalization papers granted to foreigner	" 101.
Rights of foreigners with "vecindad" after registration ..	" 102.
IV. Regulations for execution of Law of Civil Registration, December 13, 1870:—	
Inscription of acts for acquisition, recovery or loss of Spanish nationality	" 65.
In case of widow	" 67.
When details cannot be furnished	" 68.

Civil Registration.—Civil Code, 1889.

Art. 325. The records concerning the civil state of persons shall be entered in the Register destined for that purpose.

Art. 326. The Register of Civil State shall include inscriptions and notifications of births, marriages, emancipations, recognitions and legitimations, deaths, naturalizations, and "vecindad," and shall be kept by the Municipal Judges or other civil functionaries of Spain, and Consular or Diplomatic Agents abroad.

Art. 327. Re-entries in the Register shall be the proof of civil state, which shall only be supplied by other means in case such entries had not existed, or had disappeared from the books of the Register, or when a trial is pending before the Courts.

Art. 330. Naturalizations will have no legal effect as long as they do not appear inscribed in the Register, whatever may be the proof with which they are attested, and the date at which they have been granted.

Art. 332. Shall continue in force the Law of the 17th June, 1870, in so far as it is not modified by the preceding Articles.

I.—*Law of Civil Registration, June 19, 1870.*

(Translation.)

Art. 2. In the Direction-General shall be inscribed :—

(1.) The births abroad of a Spaniard's children who have no known domicile in Spain.

(2.) Births which occur on board a Spanish vessel during the voyage, if neither of the parents have a known domicile in Spain.

(3.) Births of the children of soldiers which take place abroad, where the parents are on active service, provided that their last domicile in Spain is unknown.

* * * * *

(11.) Papers of naturalization, when the parties interested have not chosen a domicile in Spain.

(12.) Declarations of option for Spanish nationality made by persons born on foreign territory of Spanish father or mother, provided that those who make the declaration do not choose a domicile in Spain.

(13.) Declarations of Spaniards who have lost their status, to the effect that they desire to recover it, if, when making such an application, they do not choose a domicile in Spain.

(14.) Declarations for the purpose of recovering Spanish nationality which are made by persons born abroad of Spanish father or mother, if they also do not choose a domicile in Spain.

(15.) Declarations made with the same object by Spanish women married to foreigners after the decease of their husbands, under the same conditions as in the four preceding Articles.

II.

Art. 4. In the Register kept by Spanish Diplomatic and Consular Agents shall be inscribed :—

(1.) Births of children of Spaniards which have taken place abroad.

(2.) Marriages contracted abroad by Spaniards, or by a foreigner and a Spaniard who retains his nationality.

(3.) Deaths of Spaniards which occur there (*i.e.*, abroad).

(4.) Declarations of Spaniards who desire to retain that status when establishing themselves in a foreign country in which by the fact of residence alone they are considered as subjects of that country.

(5.) Declarations comprised in Nos. (12), (13), (14), and (15) of Article 2.

III.—*"Of Inscriptions of Citizenship."*

Art. 96. Changes of nationality will only become legal in Spain from the day that they are inscribed in the Civil Register.

Art. 97. In every case relating to the inscription in the Civil Register of an act by virtue of which Spanish nationality is acquired, recovered, or lost, the certificate of birth of the interested party, that of his marriage if he is married, and those of the birth of his wife and children, must be presented.

Art. 98. No inscription should be made in the Register of Citizenship relative to the acquisition, recovery, or loss of the status of a Spaniard, by virtue of a declaration of an interested party who is not emancipated and has not attained his majority.

Art. 99. The acquisition, recovery, or loss of Spanish nationality shall be noted in the margin of the certificates of birth of the interested parties and of their children, if these acts have been inscribed in the Spanish Civil Register; certified copies of the inscription being transmitted for that purpose to the keepers of the respective Registers, who will immediately acknowledge receipt of the same.

Failing compliance with the provisions of this Article, a fine shall be imposed to the amount laid down in Article 65 (5 to 10 pesetas).

Art. 100. In all the inscriptions in the Register to which the preceding Articles refer, it shall be stated, as far as possible (besides the details mentioned in Article 20) :—

(1.) The former domicile of the interested party.

(2.) The names and surnames, place of birth, domicile, and profession or trade of his parents, if such can be specified.

(3.) The name, surname, and place of birth of his wife, if he is married.

(4.) The names, surnames, place of birth and "vecindad," as well as profession or trade of the wife's parents, if possible, as in paragraph (2).

(5.) The names, age, place of birth, residence, and profession or trade of the children, declaring if any one of them is emancipated.

Art. 101. Papers of naturalization granted to a foreigner by the Spanish Government will not be considered legal until such papers are inscribed in the Civil Register of the domicile chosen by the party interested, or in that of the Direction-General, should he not have the intention of fixing his residence in Spain.

The interested party must therefore see to the entry, in one or other of the Registers, of the Decree of Naturalization and the documents mentioned in Article 97, declaring that he renounces his former nationality, and taking the oath of allegiance to the Constitution of State.

These details, and the class of naturalization accorded, must be noted in the respective entry in the Register.

Art. 102. Foreigners who have obtained "vecindad" in a Spanish town shall enjoy the consideration and rights of Spaniards from the moment when the required inscription is made in the Civil Register.

They must therefore present before the Municipal Judge of their domicile sufficient proof, attested by the Public Ministry, of the facts by virtue of which the said "vecindad" is obtained, renouncing at the same time the nationality which they formerly possessed.

Express mention must be made, in the respective entry, of the facts set forth in the attested proof.

IV.—*Regulation for the Execution of the Law of Civil Registration, December 13, 1870.*

"Of the Register of Citizenship."

Art. 65. The inscription of the acts by virtue of which Spanish nationality is acquired, recovered, or lost, must be made in the register of citizenship as soon as the interested parties request it, presenting for that purpose the documents mentioned in Article 97 of the Law of Civil Registration, and, if possible, the Royal Decrees granting the nationality.

When the inscription requested relates to a widow, her state of widowhood must also be proved by production of the certificate of her husband's death.

Art. 67. In the case set forth in paragraph 2 of Article 65 of this Regulation, the name, surname, place of birth, and last domicile of the deceased husband must be stated in the records.

Art. 68. When it has not been possible to furnish any of the details mentioned in Article 100 of the Law (*i.e.*, the Law of Civil Registration of 1870), the reasons for such inability must be indicated in the records.

APPENDIX.

Question of Obligation of Military Service for Spaniards born in France and Frenchmen born in Spain

Extract from the "Gaceta de Madrid" of November 22, 1892.

MINISTRY OF THE INTERIOR.

Royal Order—Circular.

(Translation.)

SEEING that doubts arise from time to time about the interpretation of the Declaration signed in Madrid on the 2nd May of last year, modifying Article V of the Consular Convention entered into between Spain and France under date of the 7th January, 1862:

The King, and in his name the Queen-Regent of the Kingdom, has been pleased to ordain that said Declaration be inserted anew in the "Madrid Gazette," to the end that all its provisions be strictly carried out, as well by provincial as by municipal authorities, thus avoiding the complaints which either Government might be led to make in future cases.

By Royal Order I acquaint you of this for its execution and ulterior effects.

May God grant you a long life.

(Signed) VILLAVERDE.

Madrid, November 21, 1892.

To the Civil Governor.

Declaration referred to.

MINISTRY OF STATE.

Your Majesty,

In Article V of the Franco-Spanish Consular Convention of the 7th January, 1862, it was stipulated by the High Contracting Parties that the sons of Spaniards born in France, and the sons of Frenchmen born in Spain, were bound, on attaining their 20th year, to exhibit to the competent authorities, at the second drawing for the conscription, a certificate stating that they have complied with the Recruiting Laws of their fathers' country, in order to avoid being enrolled in the localities where they reside; but as a posterior Law and Regulations relating to the Spanish army, dated the 11th July, 1885, and still in force, fixed in its 26th Article the age for military service at 19 years, thus advancing the drawing by one year, the compliance with the Convention is rendered extremely difficult for the sons of Frenchmen born in Spain, for as they are not called to bear arms in their fathers' country until a year later, the necessary time has not been given to them to testify to their compliance with the French Military Law within the term stipulated in Article V of the aforesaid Convention; to do away with the difficulties caused by the modification in the Spanish Military Law, the Undersigned, in accord with the Ambassador of the French Republic at this Court, both duly empowered, has framed a Declaration stipulating a term of two years instead of the one year fixed in Article V of the aforementioned Agreement (Convention) for certifying that the sons of Spaniards born in France, and those of Frenchmen born in Spain, have complied with the law of military service in their respective countries; and with the view of enforcing it without delay, the undersigned Minister has the honour of submitting to the approbation of your Majesty the accompanying draft of a Decree for insuring to said Declaration due vigour and execution.

Your Majesty: at the Royal Palace of your Majesty.

(Signed) EL DUQUE DE TETUAN.

Palace, May 9, 1892.

Royal Decree.

Inasmuch as on the 2nd day of the present month a Declaration was signed at this Court by my Minister of State and the Ambassador of the French Republic, stipulating the term of two years instead of one year fixed in Article V of the Consular Convention between Spain and France of the 7th January, 1862, for certifying that the sons of Spaniards born in France, and reciprocally those of Frenchmen born in Spain, have complied with the Law of Conscription of their fathers' country, the literal text of which Law is as follows:—

Declaration.

The Government of Her Catholic Majesty and that of the French Republic, recognizing the necessity of stipulating a term of two years instead of the one year granted by Article V of said Consular Convention to French subjects born in Spain, for proving that they have complied in France with the formalities of the Law of Recruitment, have agreed on the following measures:—

Article V of the Consular Convention signed between Spain and France on the 7th January, 1862, is replaced by the following Article:

"French subjects born in Spain, who may be called to the service of arms, shall, in case the documents presented by them be deemed insufficient to prove their origin, exhibit before the competent authorities, two years after the drawing for conscription, a certificate bearing witness to their having complied with the Law of Recruitment in France.

"And reciprocally Spanish subjects born in France, who, at the age of 20, may be comprised in the military contingent, shall present to the competent civil or military authorities a certificate testifying to their having entered the conscription in Spain.

"In default of such document in due form, the individual summoned by lot to bear arms in the place of his birth shall form part of the military contingent of his district.

"In witness whereof the Undersigned, duly authorized, have signed the present Declaration, and appended their seals thereto.

"Done in duplicate at Madrid, May 2, 1892."

Therefore, taking into consideration the reasons manifested by my Minister of State, and in conformity with the views of the Cabinet of Ministers,

In the name of my august son King Don Alfonso XIII, and as Queen Regent of the kingdom,

I order the aforesaid Declaration to be punctually observed and carried out in all and every one of its parts.

Given in the Palace on the 9th May, 1892.

(Signed)

MARIA CRISTINA.

The Minister of State,
(Signed) CARLOS O'DONELL.

SWEDEN AND NORWAY.

No. 21.

Mr. Gough to the Earl of Rosebery.—(Received February 25.)

My Lord,

Stockholm, February 13, 1893.

IN obedience to the instructions contained in your Lordship's Circular dated the 13th October last, I have the honour to forward herewith copies and translations of the Laws in force in Sweden and Norway relating to nationality and naturalization.

I have also the honour to transmit various other explanatory documents, particulars of which are set down in the accompanying index.

I have, &c.

(Signed) HUGH GOUGH

Inclosure in No. 21.

Index to Collection of Laws in force in Sweden and Norway relating to Nationality and Naturalization, together with other Documents explanatory of the above, sent home in Mr. Gough's Despatch of February 21, 1893.

1. Royal Ordinance of the 27th February, 1858, "On the Naturalization of Foreigners in Sweden."

There is no special Law in Sweden determining the conditions for the acquisition and loss of Swedish nationality.

2. Report by Herr Asser, summarizing the Rules which at present decide questions of nationality in Sweden.

In the absence of any distinct Law over and above the Royal Ordinance of 1858, Herr Asser's Report, which was drawn up from information furnished by the Justices of the Supreme Court, may be taken as an accurate account of the present state of things in Sweden.

3. Norwegian Law of 21st April, 1888.

This is the Norwegian Law now in force on Norwegian nationality and naturalization.

4. Notes on certain difficult points by Herr Isberg, dated the 11th December, 1890.

These are observations on questions which arose in connection with a projected new Tripartite Law on nationality and naturalization, described in the next section.

5. Project of Law on the acquisition and loss of nationality for Sweden, Norway, and Denmark.

In 1889 a Committee, composed of Legal Delegates from Sweden, Norway, and Denmark, met to draw up legislation as nearly uniform as possible for the three countries. The Committee ended its labours in December 1890, and the result is now being considered in the three countries.

6. Synopsis of the legal status of foreigners in Sweden.

This is a summary of the Laws dispersed among the various Codes and Ordinances, including decisions of the Courts of Law. It has been prepared by one of the leading lawyers of Stockholm.

His Majesty's Gracious Decree regulating the Naturalization of Foreigners, given at Stockholm, February 27, 1892.

(Translation.)

WE, Oscar, &c., decree as follows:—

§ 1. When a foreigner desires to be naturalized as a Swede, let him make a Petition to the King.

§ 2. Swedish nationality can be obtained by a foreigner, who—

- (1.) Has reached his 21st year of age;
- (2.) Is of good character;
- (3.) Has been resident three years in the kingdom; and
- (4.) Has the means to support himself.

If a foreigner, in accordance with § 28 of the Constitution, has been employed in the service of the kingdom, as professor at the University, or in the medical or military professions, or has made himself known for special talent in science or art, or in agriculture, mining, or other profession, or if otherwise his naturalization would be profitable to the kingdom, then it may be granted to him sooner after his arrival in the kingdom than is said above.

§ 3. A Petition for naturalization shall be accompanied by proofs of the petitioner's age and country of origin, and of the date when he came to the kingdom, and also of the places where he has since been living, as well as of his character and form of religion.

Upon these matters the official whose opinion upon the Petition the King asks for, shall endeavour to ascertain and furnish such further information as may be necessary.

§ 4. When a request for naturalization is granted, it shall be on the condition that the petitioner, within such period as the King shall determine, certifies before the proper authority, so far as that has not already been done, that he has ceased to be a subject of a foreign Power, and takes the oath of allegiance as a Swedish subject.

If the petitioner comes from a country where the laws do not permit a person to divest himself of his allegiance, then, on taking the oath of allegiance as a Swedish subject, he must declare his renunciation of the political privileges and rights which he holds in such foreign country.

Let all concerned obediently submit to the above.

Signed at Stockholm, the 27th February, 1892.

During the absence from illness of my Most Gracious Sovereign,

(Signed) CARL.

(Countersigned) C. E. GÜNTHER.

Report presented by Herr Asser at the Session (1874-75) of the Institute of International Law. The particulars were furnished by two Judges of the Supreme Court at Stockholm, Messrs. Nauman and Olivecrona.

On Nationality, its acquisition, and loss, also on the influence upon the position of a wife and minor children of a change of Nationality.

In Sweden nationality is acquired—

(a.) *By Birth.*—Those are Swedes who are born in Sweden, or born abroad of a Swedish father. If the father, having lost his Swedish nationality by emigration only, takes abroad with him his children born in Sweden, these children, when of age, are again considered Swedes if they resume domicile in Sweden within a year and a day of their becoming of age. A child born out of wedlock follows the nationality of his mother. If he be made legitimate by the marriage of his mother with his Swedish father, he obtains Swedish nationality. A foreign woman marrying a Swede acquires the nationality of her husband.

(b.) *By Naturalization.*—This can be granted by the King in Council to any foreigner requesting it, and being 21 years of age, and of good reputation, and having been domiciled in Sweden three years, and possessing means of subsistence. Foreigners who have been appointed to public employment (medical and other learned professions, and exceptionally military duties), specially designated in Article 28 of the Constitution, or who have specially distinguished themselves in science, art, agriculture, or metallurgy, &c., or whose naturalization seems to be for the advantage of the country, can be naturalized, although they have not had their domicile for three years in Sweden. A naturalized foreigner must furnish proof within a period to be designated by the King

that he has ceased to be a subject of a foreign Power, and must take the oath of a Swedish subject. If he belongs to a country whose laws do not allow the relinquishment of nationality, he must renounce, in writing, all political rights possessed by him in his country of origin.

Nationality is lost by—

- (a.) Emigration.
- (b.) Naturalization in a foreign country.
- (c.) Marriage of a Swedish woman with a foreigner.

By the naturalization of a foreigner his wife also acquires Swedish nationality; but this naturalization has no effect on the children born previously. Such children to acquire Swedish nationality must themselves be naturalized. In this case they obtain all the rights of a Swedish subject, except that of being named Minister of State.

(*Vide "Revue de Droit International," vol. i, p. 398.*)

Law relating to Norwegian State-citizenship, &c., dated April 21, 1888.

(Translation.)

§ 1. At birth every person born in wedlock* shall be entitled to the rights of a Norwegian State-citizen if the father or mother are Norwegian State-citizens, and, in the case of illegitimate children, if the mother be possessed of such rights. Foundlings discovered in this country are considered as born of Norwegian State-citizens, provided, before the completion of the 18th year of their age, their parents have not been traced, nor their nationality proved.

§ 2. The rights of a Norwegian State-citizen are acquired by the following voluntary acts:—

- (a.) By marriage, viz., of an alien woman with a Norwegian State-citizen.
- (b.) When a person who, according to Article 92 (a), (b), or (d), of the Constitution, having acquired the rights of a Norwegian-born State-citizen, takes up a fixed domicile in Norway. This rule, however, shall not apply to Norwegian-born State-citizens, who assume a fixed domicile in Norway by virtue of an appointment in the service of a foreign State, or to women having the rights of a Norwegian-born State-citizen, but married to the subject of a foreign State.

(c.) By accepting an appointment as Norwegian official ("Embedsmand"), or a permanent appointment from the King or any Department of the Government, as a functionary in the service of the Norwegian State. In the case of officials or functionaries appointed to the joint public service of Sweden and Norway, this rule shall only apply to persons having the rights of Norwegian-born State-citizens, and who renounce their allegiance to any foreign State.

§ 3. The rights of a Norwegian State-citizen may also be conferred on other inhabitants of the country by permission of the King, or of the authority authorized by him to grant such permission. As a rule such licence shall only be granted to those who—

- (a.) Have had a fixed domicile in this country during three consecutive years;
- (b.) Who by domicile have acquired the right to become chargeable to the parish in any district in this country, or who by giving security or otherwise can prove to the satisfaction of the authorities, that they and their families will not become chargeable to the Poor Law District previous to such time as they would have acquired the same rights, even if State-citizenship had not been granted to them;

(c.) Are of age; and

(d.) Are not temporarily, or for ever, disqualified from the right of suffrage according to §§ 52 (a) and 53 (a) of the Constitution.

In order to obtain the rights of a Norwegian State-citizen in virtue of the provisions of this Law, an application should be made to the authorities at the place where the applicant resides, stating at which places he has resided in this country, and, if he is a subject of any foreign country, the name of such country, adding a declaration to the effect that, in case of the application being granted, he will renounce all allegiance to such foreign State. If the validity of the last-named declaration depends, according to the laws of the foreign State in question, on the consent of its Government, the applicant must prove that such consent has been granted.

If the application is granted, a certificate as Norwegian State-citizen will be issued

* According to the law of Norway, children born out of wedlock are legitimized as soon as the parents legally enter into matrimony.

to the applicant in such form as the King may prescribe. Such certificate shall only come into force after the person named therein has taken the oath prescribed in § 51 of the Constitution. The Judge by whom the oath has been administered shall indorse the certificate with an attestation of the administration of the oath.

The rights of a Norwegian State-citizen may be acquired by any widow or spinster, according to the preceding rules, but without taking the oath prescribed.

§ 4. When the rights of a Norwegian State-citizen have been acquired by a person in virtue of paragraphs 2 and 3, the same rights shall also belong to his wife, and those of his, or her, children under age, who reside with their parents, or who are educated and brought up at their cost.

§ 5. Any foreign person domiciled in the kingdom who, without being entered on the Register prescribed in § 51 of the Constitution, shall claim to have acquired the rights of a Norwegian State-citizen at the time when the present Law comes into force, must, in order to secure such right, apply to the authorities, within one year after the said term, for a certificate as Norwegian State-citizen.

In the case of a person not having attained majority when the Law comes into force, the term of grace allowed for such application shall be extended from the time he attains majority.

If the authorities consider the application well-founded, and if the applicant fulfils the conditions prescribed in § 3 (a) and (b) of this Law, a certificate as a Norwegian State-citizen will be granted to him, which is to serve as full proof of his right as such. If the application is refused, the applicant shall not thereby be deprived of any right accorded to him by the Laws now in force.

§ 6. A Norwegian State-citizen shall lose his rights as such—

(a.) When he becomes the subject of a foreign State; and

(b.) When he leaves the kingdom for ever. Any Norwegian State-citizen, however, having the rights of a Norwegian-born State-citizen in virtue of § 92 (a), (b), or (d) of the Constitution, may retain his rights as a Norwegian State-citizen by making a declaration of his intention to remain such, before the local Norwegian Consul, within one year after his departure, or after the day when the present Law comes into force.

This declaration shall be valid for the space of ten years, within which term it may be renewed for a similar period.

Any Norwegian who takes up his residence in a foreign country, on account of his appointment as a Norwegian official, or in the Joint Public Service of Norway and Sweden, shall retain his rights as a Norwegian State-citizen.

In all cases in which such right is retained, it applies likewise to the wife, and to his or her children, under age, who reside with their parents, or are educated and provided for by them.

§ 7. Every person who, in virtue of § 92 (a), (b), or (d) of the Constitution, has the right of a Norwegian-born State-citizen, is entitled to settle in the kingdom, and shall retain the domiciliary rights conferred by the Poor Laws for the towns, and for the rural districts, of the 6th June, 1863, §§ 16 and 17 respectively.

Norwegian State-citizens are entitled to reside in Norway, except when they may be delivered over to the Swedish authorities in compliance with the Law of the 11th September, 1818. § 1 of the Law of the 17th June, 1886, containing amendments of, and additions to, the Poor Laws, is hereby repealed as regards Norwegian State-citizens, but § 2 of the same Law shall remain in force as regards emigrated Norwegian State-citizens who are not possessed of the rights of Norwegian-born State-citizens.

Every Norwegian State-citizen is a Norwegian subject. Immigrating aliens shall, even after becoming Norwegian State-citizens, enjoy the immunity from military service conditionally accorded to them by the Law concerning military service of the 12th May, 1866, § 12.

§ 8. Those inhabitants of the country not possessing the rights of Norwegian State-citizens are not Norwegian subjects. With regard to their legal status, the rules contained in the Laws, with the exception of the present Law and the Constitution, relating to Norwegian subjects, natives, Norwegians, inhabitants of the kingdom, and Norwegian citizens, shall continue in force, foreigners being, however, subject to expulsion from the kingdom in the same cases as hitherto. The Law of the 4th August, 1845, relating to the qualifications required for election to certain municipal or parochial functions, and of the 17th June, 1886, referred to in the preceding paragraph, shall remain applicable to such aliens.

§ 9. In future, real property, except by special permission of the King, or the

authority authorized by him, may only be legally acquired in the realm by Norwegian or Swedish State-citizens, Corporations, Institutions, or Limited Liability Companies, when their Boards have their seat in Norway or Sweden, and consist exclusively of Norwegian or Swedish State-citizens. The same rule shall apply to leases of landed property, and the rights of usufruct, use, or other rights conferred thereby with regard to such property.

The King may grant exemptions from the effects of paragraph 9 with respect to leases or other rights acquired, for a period not exceeding ten years.

The right of obtaining a licence to work a mine remains free to all according to the Mining Law of the 14th July, 1842, as also the provisions as to the allotment of ground to such licensee according to § 18 of the same Law, and the Law of the 17th February, 1866, respecting the rights of the holders of claims, and the term of grace allowed for the commencement and continuation of mining operations. Those communities of Dissenters which are recognized by the Law of the 16th July, 1845, shall, notwithstanding the provisions of this paragraph, have the right to acquire and possess lands for establishing churches, schools, parsonages, and cemeteries.

§ 10. Every Swedish State-citizen acquiring in future any real property in Norway, or such rights as aforesaid as are equivalent thereto, as mentioned in paragraph 9, must, if not residing in Norway, have a representative at the place where the property is situated, who in his absence, holding his power of attorney, shall be authorized to appear for him, before Courts of Law and the authorities, in all matters relating to the property or to the aforesaid rights which may have been obtained by him.

The same rule shall apply to Corporations, Institutions, or Limited Liability Companies, the Boards of which have their seat in Sweden, and acquire such property or rights as aforesaid.

The name and residence of such authorized representative shall be officially published (registered).

In case of non-compliance with the preceding rules, the Judge of the Inferior Court in whose district the estate is situated may, at the instance of any person concerned, appoint such a representative to act as attorney, and such appointment shall be binding upon the owner or occupier.

The preceding rules of this paragraph shall also be applied when, in virtue of a permission granted according to § 9, an alien has acquired in the kingdom real property, or the rights aforementioned.

§ 11. Contracts concluded contrary to § 9 cannot be enforced unless the permission required by the said paragraph be subsequently granted.

§ 12. If any document is required to be officially published (registered), concerning any acquisition for which aliens, according to § 9, require a licence, and such cannot be produced, the Registrar shall, provided he finds it questionable as to what extent the acquisition is at variance with the terms of the above paragraph, make a report thereon, which shall be forwarded by him to the superior authorities.

§ 13. If an Agreement not in conformity with § 9 is executed by the registration of the title-deed, or if the purchaser or the lessee has entered into possession of the estate, or the exercise of the rights conceded, the authorities shall fix a time for the adjustment of the matter, either by his obtaining the licence required, or by voluntary retrocession, or the sale of the property to a person entitled to hold such property. The limit of time allowed must not be less than six months, nor exceed three years. The decision of the superior authorities shall be officially published (registered).

§ 14. On the expiry of the term fixed, the property, or said rights, shall be sold by compulsory auction, by order of the superior authorities, without any previous negotiations of agreement or notification to the party. The sale shall have full legal effect against the owner or the occupier, the person to whom he looks for title ("Hjemmelsmand"), and their creditors, or in case of their becoming bankrupts, their estates, and the mortgagees concerned. The sale is effected on account of the owner or occupier, no part of the proceeds thereof being paid over to him, before the vendor, or other person entitled to payment,* has received payment of his claims for the transfer of the estate or the said rights. Should the proceeds of the sale not be sufficient for such purpose, the debtor shall be held personally responsible for the claims.

§ 15. The rules of §§ 13 and 14 shall also be applied, when a Limited Liability Company having its seat in Norway or Sweden, and possessing any real estate in Norway, or possessed of the said rights according to § 9, and subject to a licence, removes its seat to any foreign country, or admits into its Board any member other than one possessed of the rights of a Norwegian or Swedish State-citizen.

* The "Hjemmelsmand."

§ 16. If real property, or the right of usufruct, or use, is acquired by inheritance by any person not entitled to its possession, when according to special circumstances the permission referred to in § 9 cannot be obtained, the rules of §§ 13 and 14 shall take effect, in so far as they are applicable to the case.

If the property, or aforementioned rights, belong to a female who is a Norwegian or Swedish State-citizen, or has obtained the permission referred to in § 9, the property, or the right of usufruct, or use, shall, when she marries any person not holding any such rights of State-citizenship, or who has not obtained such permission, be her separate property.

§ 17. The term "fixed domicile" in the present Law shall be understood to mean any residence of such a nature showing it to be the intention of the party to remain permanently in the kingdom.

§ 18. The present Law, which shall immediately come into force, shall not have effect in cases in which its terms would be at variance with those of existing Treaties with foreign Powers.

*Project of Law for the three Scandinavian Kingdoms concerning the Acquisition
and Loss of Citizenship.*

Paragraph 1. The rights and privileges of a Swedish citizen belong by birth to every legitimate child whose father is entitled to civil rights as a Swedish citizen.

Para. 2. A man or unmarried woman of foreign nationality born in Sweden, and having been settled here until attaining the age of 22, becomes a Swedish citizen, unless he or she, during the year previous, has sent in a document to the authorities renouncing the right of becoming a Swedish citizen, and at the same time proved that he or she has civil rights in another country. This renunciation of citizenship will not be allowed those born of a foreigner who has himself availed himself of this privilege.

When the rights and privileges of a Swedish citizen have been acquired by a foreigner in consequence of this paragraph, the same rights and privileges also extend to his wife and legitimate children.

Para. 3. A woman of foreign nationality marrying a Swedish citizen acquires by her marriage the rights and privileges of a Swedish citizen.

Para. 4. The rights and privileges of Swedish citizenship are moreover obtainable by naturalization, the conditions for which are regulated by a special Law. A foreigner being naturalized, unless the contrary is specially stated, gives civil rights to his wife and legitimate children under age.

Para. 5. The rights and privileges of Swedish citizenship are forfeited by any one who becomes a citizen of another country.

Should any one, with a view of obtaining foreign naturalization, wish to be absolved from his obligations to Sweden, application must be made to His Majesty, and should the request be granted, the condition must be inserted that within a certain time the applicant must obtain citizenship in another country.

Para. 6. A Swedish woman marrying any one who is not a Swedish citizen, by her marriage loses the rights and privileges of a Swedish citizen.

Para. 7. If a man or unmarried woman of Swedish nationality, after attaining the age of 21, or a widow, on her marriage being dissolved by death, pass ten consecutive years abroad, all rights of citizenship are forfeited, unless the sojourn abroad has been caused by a public charge for the United Kingdom or for Sweden, or unless, before the expiration of the aforesaid time, a document in due form be sent to the Swedish Embassy, Legation, or Consulate, or, if the applicant be settled in Norway, to the Swedish Lord Chancellor's Office, containing a proviso that Swedish citizenship may be retained. Such a declaration must, so as to continue valid, be renewed before the end of each tenth year, and cannot be legally made except by the person leaving this country, his children, and their widows.

The loss of citizenship to a Swede, according to this paragraph, also entails the loss of the same to his wife and legitimate children under age, unless they remain in this kingdom.

It rests with His Majesty to limit or annul the provisos of this paragraph by agreement with a foreign Power, in so far as that special Power may be concerned.

Para. 8. Any one forfeiting his or her right as a Swedish citizen in consequence of paragraph 7, and not becoming a citizen of another country, regains those rights on again settling in Sweden, or if the King permits these rights to be retained without so doing.

Should Swedish citizenship be regained by the husband, thanks to the preceding clause, these rights belong to his wife and legitimate children under age, even if they remain abroad.

Para. 9. An illegitimate child, whose mother is a Swedish citizen, acquires the rights of Swedish citizenship by birth, and as regards citizenship follows the mother in all those cases where the legitimate child follows the father. Should the mother's position as regards civil rights be altered by marriage, or as a consequence thereof, no change takes place in the rights and privileges of citizenship which previously belonged to her illegitimate child.

Para. 10. Any child found in the kingdom, about which no knowledge can be obtained as regards its civil rights, will be considered to be a Swedish citizen until the contrary is proved.

Temporary Enactment.

This Law becomes valid on the 1st January, 18 , the Regulation in paragraph 2 being applicable to foreigners born before that time, so long as he or she be under 21 years of age.

Notes on Special Points.

Difference between Rules existing in Sweden and Norway on the one hand, and Denmark on the other, concerning Period of Residence required for Naturalization.

According to existing Laws a foreigner can obtain naturalization in Sweden or Norway after a residence of only three years, while in Denmark, where a private Act of Parliament must be obtained in each case, fifteen years is generally required, excepting for Swedish and Norwegian subjects, where five years is usually enough.

Opinions of eminent Jurisconsults on Loss of Swedish Nationality through Residence Abroad.

From time to time eminent lawyers have expressed their opinion that residence abroad, combined with the intention to continue the foreign domicile, already carries with it, under existing Laws, loss of nationality.

In support of their contention these eminent jurists quote the Law of Inheritance (Chapter XV, § 7), according to which "he who abandons his country, and intentionally domiciles himself under a foreign sceptre," enjoys no greater right to successions in this kingdom than "other foreigners."

The same learned gentlemen also take note of a Decree of the 27th December, 1811, forbidding unlawful flights from and journeys out of the kingdom.

Swedish administrative authorities have frequently made use of these views in business with foreign Powers regarding Sweden's alleged obligation to receive and support distressed persons, born Swedes, who may by long residence abroad, say ten years, be presumed to have intended to remain abroad; and where the foreign Power had itself had a similar rule as to the effect of domicile abroad, it appears that Sweden's refusal to support such distressed persons has been accepted as reasonable.

On the other hand, it cannot be denied that the foundations on which those eminent jurists build up their statement are decidedly weak.

The Law of Succession above named is only intended to decide certain points of the right of inheritance, and not at all the question of the ceasing or continuance of rights of citizenship (though, no doubt, the germ of the latter was in the mind of its authors), and as for the Royal Prohibition of the 27th December, 1811, which was only an administrative Act, and has long ceased to be in force, it cannot be held as of decisive importance in judging of the question at issue.

Curious Norwegian Law under which Children follow their Stepfather's Nationality.

If a widow in Norway changes her nationality by remarriage, her children, if they remain with her or are supported by her, also change over to her new nationality.

A Summary Statement of the Legal Position of Aliens in Sweden from the following Points of View.

(A.)—Public Rights.

1. *The Right of Residence in Sweden.*—Foreigners are allowed, without previous permission, to enter the country and remain there, but can be excluded if there be any particular reason for such a measure, for instance, if they are in need of parochial relief or, by being accessory to political conspiracies and otherwise, show themselves to be dangerous to the State. The privilege of asylum, in accordance with the general principles of international law, is recognized by Sweden, and by special Treaties with several countries, the conditions under which she is bound to surrender criminal fugitives are more closely set out. Such Treaties of Extradition exist between Sweden and the principal foreign States, viz., the United States of North America, dated the 21st March, 1860; Russia, the 27th December, 1860; Portugal, the 17th December, 1863; Italy, the 20th September, 1866 (*cf.* the Declaration of the 28th May, 1878); Austria, the 2nd June, 1868; France, the 4th June, 1869; Belgium, the 26th April, 1870 (*cf.* the Declaration of the 6th November, 1877); England, the 26th June, 1873; Germany, the 19th January, 1878; the Netherlands, the 18th March, 1879; Luxemburg, the 21st July, 1883; and Spain, the 15th May, 1885.

2. *The Right of Parochial Relief.*—Aliens in need of assistance can receive such in the shape of medical attendance or parish relief, which are held to be an advance that should be repaid by the State to which such alien belongs. The conditions, &c., under which relief may be granted are defined by the following Laws, viz.: the Royal Decree of the 9th June, 1871:—

“§ 1. Should a minor or anybody who, on account of age, bodily or mental disease, infirmity, or disability, is unable to earn by work what is indispensably necessary for the maintenance of life, be found to be without any means of support, and is not under the care of others, then the needful relief shall be given to him.

“§ 29 (3). If relief, as per § 1, be given to anybody whose proper parish cannot be ascertained, or to any person not being a citizen of Sweden, and the money thus expended cannot be recovered from any private person, the State shall refund it to the parish, also costs of burial, where such has taken place.

“§ 30 (3). The enactments for compensation for relief to persons mentioned in § 29, (2) and (3), shall also apply to the costs incurred in sending them home.”

The Conventions entered into by Sweden and Denmark for relieving such subjects of either State as become destitute within the territory of the other, dated the 13th and 26th July, 1888, stipulate as follows:—

“Article 1. Each of the Contracting Parties is bound to relieve such subjects of the other party as become destitute whilst within its territory, upon the same principles as apply to its own subjects, until they have been sent home to their own country.

“Article 2. Before sending the destitute home, all information about him shall be collected, and a representation shall be made on the subject of his being received in his own country. Should not five years have elapsed since his leaving home, such representation may be made direct to the authorities of the province in which the destitute person may be supposed to have his settlement as far as regards parochial relief. Should such authority be unable to arrive at a decision on the subject, or should more than five years have elapsed since the relieved left home, then such representation to be made through the Foreign Secretary.

“Article 4. Neither of the Contracting Parties shall be entitled to compensation from the other party for relief given or for costs of sending home.”

A Royal Circular to the Governor of Stockholm and all Provincial Governors, dated the 28th May, 1886, lays down that should an alien—man or woman—be found a vagrant, or by begging or otherwise make himself liable to be treated as a vagrant, the authorities concerned, in case the country to which the vagrant in question owes his allegiance be situated so as to allow of his being sent there direct, may cause him to be conveniently sent home, subject to proper notice having been previously given to the authorities of that place in his own country at which he will first arrive.

In any other case than the above mentioned, as also where it cannot be satisfactorily ascertained to which country the person owes allegiance, the question of his or her treatment shall be submitted to the King's gracious decision, pending which the person shall be kept in custody.

The treatment of vagrants and mendicants of Russian and Finnish nationality is regulated by a special Convention between Sweden and Russia, and a Royal Proclamation given on account of same on the 16th April, 1861.

3. The right of publishing writings in print on their own responsibility does not belong to aliens in Sweden.

4. Swedish subjects alone have the right of voting and of being appointed to public offices.

5. The right of being appointed officials of the State, as a rule, belongs to Swedish subjects only. Some exceptions from this rule are given in "Regeringsformen,"* § 28 (1):—

"The King is entitled, after having taken the opinion of the proper authorities, or on their representation, to appoint as teachers at the Universities (excepting in theology), and also as teachers and employés at other institutions for science, handicrafts, and fine arts, as well as physicians, foreigners of conspicuous merits, provided they belong to the pure Evangelical confession. To military offices he may likewise appoint foreigners of uncommon ability, but not as Governors of fortresses."

6. A foreigner having settled in Sweden is entitled, without hindrance, to leave the country again, having discharged all obligations incumbent on him. Restrictions of this right are caused by the *jus detractus*, so named, which, by virtue of Treaties with most foreign Powers, is now suspended as far as the subjects of those Powers are concerned.

7. *Judicial Rights*.—A foreigner is entitled to institute proceedings at a Swedish Court of Law with such restrictions only as are caused by the Law defining the obligation of an alien in a law-suit in a Swedish Court to give security for costs and damages, dated the 19th November, 1886:—

"§ 1. If an alien, whether he be a resident of this country or not, should bring an action against a Swedish subject in a Swedish Court of Law, he shall, at the request of the defendant, be bound to deliver to him a bond in writing, signed by two respectable Swedish men who are residents of the country, and who go bail jointly and severally, as if for their own debt, for such costs and damages as by legally valid decision of the case the plaintiff may be ordered to pay to the defendant, or give other security to the same effect. Such request may not be made later than at the first time defendant appears at a trial; and such bail or securities may not be requested in cases where the action of an alien is brought only in pursuance of a counter-summons, or on account of a bill of exchange, or in consequence of a summons issued by a Court or a Judge.

"§ 2. Such request having been made, as stated in the preceding section, the plaintiff shall be ordered, within a fixed time, to find such bail as above mentioned, or to give other security for such amount and of such description as is approved of by the defendant or defined by the Court, at the risk of the case being otherwise struck out.

"§ 3. The enactments now laid down do not apply to the subjects of countries in which a Swedish subject is by Treaty exempted from giving such security as defined above."

By a Declaration dated the 7th July, 1887, Sweden and Denmark have mutually agreed to exempt the subjects of the other State from the obligation to find bail for costs and damages in actions at law.

Aliens generally not having the benefit of the public rights and privileges of citizens, are neither subject to the general obligations incumbent on the natives of the country. Thus, as a rule, the financial and military sovereignty of the State does not affect an alien. He is exempt from military service, and his person and personal estate cannot (unless under special circumstances it should be called for by virtue of the *lex angariæ*, and then subject to compensation) be laid claim to for the wants of the public. He is, however, bound to pay such taxes as are connected with the enjoyment of a privilege, but, as a rule, no direct taxes, except in the following cases, defined by the Income Tax Bill:—

"Income tax shall be paid by—

* * * *

"(c.) Foreigners who reside in the country, or are staying there as travellers either for the whole of one year or for the larger part of three consecutive years, or who follow some trade, or draw a salary or pension for such profits or income as is derived from this country or expended here, if derived from abroad.

"A foreigner or a Swedish subject residing abroad who, not having paid public taxes for the year in which collection of such taxes to the Swedish State has latest taken place, is travelling in this country for trading purposes, whether bringing samples or not,

either for his own account or as the representative of others, and offers foreign goods for sale or sells such goods to be afterwards delivered from abroad, shall, on his arrival in the country, hand to the Collector of Taxes of the nearest town a written statement setting forth the time he intends staying here, at the same time, for the right of trading as above, paying in advance for each calendar month a fee of 100 kronor, whether desiring to avail himself of the privilege during the full month or only for a part thereof, which fee shall be paid to the Collector of Crown Taxes residing in a town of the province where he is staying at the time, either once for all for a longer period, or for at least one month at a time.

"Receipts for such payment to be given on printed forms, which, on application, are sent by the 'Statskantoret' (Exchequer) to 'Konungens Befallningshafvande,' to be supplied by him to the Collectors of Taxes in the towns. Such receipts are for 100 kronor each, and should contain also a reminder of the proper observance of the enactments of the Law regulating such trading.

"Such foreigner or Swedish subject on an equal footing with a foreigner, as stated above, who offers for sale or sells foreign goods, shall, before negotiating at any place for a sale, prove to the police authority concerned that the stipulated fee is paid by him in due course, a certificate of which shall be given him, at his request, by the said authority. If anybody is found to carry on such a trade without having either duly paid the above fee or produced to the police authority concerned due certificate of such fee being paid, he shall be liable to a fine not less than 100 kronor and not exceeding 500 kronor, and, in the first mentioned case, shall also be bound to pay the fee for the time the unlawful trade has been going on. Cases of this nature are taken up by the Police Chamber, where such exists; else by the Common Court, and the fines inflicted shall be equally divided between the prosecutor and the parish where the offence was committed.

"A foreign man or woman who, with the permission of the authorities, desires to give a concert or other musical entertainment, on payment of an entrance fee and for personal profit; to bring out a play, perform with a circus, exhibit dancing on a rope, mechanical or other tricks, show a cosmorama, panorama, or other optical feats, wax-works, collections of animals, objects of natural history, &c., for each separate concert or each day when a play or other performance is given, shall pay in Stockholm and Gothenburg 3 kronor (3s.), and in other places 1 kronor 50 öre (1s. 6d.). Such giver of a concert, theatrical manager, performer, or showman, before the licence can be granted to him, shall prove himself either to have fully paid the stipulated fee for the period or time involved by the licence, or else to have given an approved security for such payment to the Collector concerned. In the latter case, the fee shall be paid for each month running at the end of that month, and on paying same the payer shall hand to the Collector a certificate of the 'Fiskal'* if in a town, or the 'Länsman'† of the district, if in the country, setting forth the number of concerts or performances given or show-days during the month, which certificate shall be appended to the Collector's account of fees received. The latest receipt of the Collector for payment of fees for performances given shall, without fail, be produced by every such foreigner on arrival at another place in the country, before a new licence can be granted to him."

Moreover, in some cases there are judicial obligations incumbent on a foreigner, as under certain circumstances he is bound to appear as defendant before a Swedish Court of Law or executive authority. The Swedish Litigation Act, cap. 10 (1), lays down as follows:—

"If anybody wants to sue another:

* * * * *

"A foreigner not having settlement in this country—unless he be a subject of a State with which there is any special agreement to another effect—shall be sued at that place in the country where he is staying at the time, and for any engagement entered into or debt contracted whilst staying in this country he shall be sued also at such place where property belonging to him is kept, or where the engagement was entered into or the debt contracted."

The Debtors Act, § 12.—

"If the debtor be a foreigner

* * * * *

he may be sued wherever he can be found."

The Criminal Code, § 12.—"For a crime committed in this country or on board a

* A kind of bailiff and police officer in the towns.

† A kind of bailiff and police officer in the country districts.

Swedish vessel abroad, a foreigner staying in this country shall be tried and sentenced according to Swedish law in a Swedish Court, and likewise for a crime against Sweden or a Swedish subject committed abroad, in case it should be ordained by the King that such crime shall be the subject of legal prosecution in this country."

Exemptions from this are caused by the Exterritorial Law so called.

(B.)—*Private Rights.*

1. *The Right of acquiring and holding Property in Sweden* (governed by Royal Decree of the 3rd October, 1829).—"A foreigner not having acquired the privileges of a citizen of Sweden cannot be held to be entitled to acquire and hold real property within the country, unless by the special permission of the King; therefore such foreigner cannot be registered as the owner of such property."

On the other hand, the permission of the King is not required for an alien to be a shareholder in a Swedish Limited Company, though such Company hold real estate, neither does the section cited apply to the right of holding mortgages on real estate, shares and mortgages according to Swedish law being held to be personal property.

The judicial position of a foreigner who, having acquired real estate in this country, is afterwards refused permission to hold it, is not defined by law as far as regards the property bought by him, there being some uncertainty about the time such foreigner can keep possession of that property, without other inconvenience than is caused by his not being allowed to be registered as the lawful owner.

According to a Royal Decree, dated the 23rd November, 1855, when a foreigner has been granted permission to acquire and hold landed property in this country in which a *jus patronatus* is vested, the advowson cannot devolve on him.

2. *The Rights of Chasing and Fishing, of Mining, as also the Right of carrying on Mercantile Trade, of working a Factory, or of following some other Trade.*

(a.) The rights of chasing and fishing are an accessory of the rights of soil and water, and therefore belong to a foreigner who has lawfully acquired such rights.

Moreover, a foreigner without special permission may rent from or otherwise agree with an owner of soil and water for the use of his chasing and fishing rights.

On the other hand, that right of chasing and fishing, which on certain grounds is reserved by law expressly for Swedish subjects, in no way can belong to a foreigner, or be acquired by him.

(b.) *Rights of Mining.*—In this respect § 68 of the Mining Law, dated the 16th May, 1884, enacts as follows:—

"No foreigner may work a claim of ore or carry on a mining trade, unless, on special application to take up and carry on work at the lode or on the mining grounds, the King should grant him leave to do so; and no work, whether by way of trial or actual mining, that a foreigner may have caused to be done without such permission, can therefore, in any way, assist him in maintaining his rights in respect of such claim. But this enactment does not apply to a lode or mine which is already held by a foreigner, having been previously lawfully acquired by him. No working licence can be given to a foreigner unconditionally, and any such that may be granted to him at his request must expressly state that his right of working and profiting by the lode in question will be subject to the King granting him permission to do so. . . ."

(c.) The right to carry on a mercantile trade, to work a factory, or follow an artisan's trade, or some other trading business, belongs to a foreigner under certain conditions which are laid down by the Royal Statute dated the 18th June, 1864 (with later modifications).

§ 26 (1). In each case the King shall decide whether a foreign man or woman may be allowed to do any of the above things.

Application to that effect, stating also in which town or place in the country the business is to be carried on, shall be made to the Governor of the Province. To such application shall be appended:—

(a.) A certificate showing the applicant to be of age and to have a good character.

(b.) A bond by a respectable and solvent man or woman guaranteeing the payment of taxes and rates for a period of three years.

The Governor, having called for further information about the applicant, should such be found expedient, and also for explanations by the officials concerned, shall then return all the documents to the Home Department, together with their own opinion on the application.

(2.) No foreigner, even if permission should have been granted to him to trade or follow some other profession, shall be allowed to sell his goods, whether personally or through others, in any place outside the locality or district fixed by the licence, other than at fairs; neither may a foreigner be employed as an assistant at such sales as are mentioned in § 10. (Royal Decree dated the 23rd September, 1887.)

(In accordance with a Royal letter dated the 23rd December, 1885, a foreigner may, during the season for the herring fisheries off the coast of Bohus Län, until further notice, be allowed to buy fish for exportation abroad—even should he not have been granted permission by the King to trade in the country—notice of such intention having been previously given by him to the Governor, the proper police officer or Magistrates; but he is not at liberty to do anything to the fish purchased to raise its value, *e.g.*, curing or pickling it, except what is necessary to keep it fresh whilst being exported as fresh fish.)

§ 27. If a foreigner wants permission to work a furnace, forge, foundry, or other concern for turning to profit or refining minerals, such concern not coming under the designation of a handicraft, application to that effect shall be made to the King, and to the same shall be appended the certificates mentioned in § 26 (a). Such application shall be sent in to the Board of Mining, which shall deal with it in the same way as the Governor, as directed by the said section. (Royal Decree dated the 20th June, 1879.)

§ 28. Licence having been granted to a foreigner to carry on such trade or business as is mentioned in § 26, he shall be bound, in case he wants in future to avail himself of that licence, before the expiration of the period for which he has given security for the payment of taxes and rates, to send in to the Governor concerned a new bond or other security for payment of taxes and rates—to be approved of by that authority—each time for a period of three years. (Royal Decree dated the 20th June, 1879.)

§ 29. A foreigner who has been granted permission to trade or carry on a business in this country is also entitled to send and bring goods as well between places in the country as to or from places abroad. (Royal Decree dated the 20th June, 1879.)

§ 30. The general rules and regulations laid down by this Decree for the carrying on of a trade or business, and matters connected therewith, do also apply to foreigners where practicable. (Royal Decree dated the 20th June, 1879.)

§ 31. "A foreigner who carries on a trade or business, without having a proper licence, or transgresses the licence granted to him, or otherwise offends against the rules and regulations laid down by this Decree, shall be liable to a fine as per § 18, and all goods unlawfully held for sale by him shall be forfeited, and may be seized by the Public Prosecutor; but legal proceedings against the offender must be taken forthwith for such seizure to hold good." (The amount of fine to be inflicted ranges from 5 to 500 kronor.)*

§ 32. The degree in which the above regulations are applicable to Norwegian subjects is dealt with in the Royal Decree of the 20th June, 1879.

The Law regulating the floating of timber, dated the 30th December, 1880, § 24: "If a foreigner wants to float timber in any public watercourse intended to be used for such purpose, within the confines of this country, he shall, besides observing the above regulations, lodge with the 'Konungens Befallningshafvande' of the 'Län' a bond signed by two solvent and respectable Swedish men who go bail, each for himself and for each other jointly and severally, as if for his own debt, for the proper discharge of all obligations incumbent on him in consequence of his carrying on such floating."

A Royal Proclamation, dated the 22nd October, 1886, lays down the conditions under which foreign Insurance Companies may be allowed to carry on their business in this country.

3. *The Right of owning Swedish Vessels* (Royal Decree dated the 18th June, 1864)

§ 25: "A foreigner is permitted to own Swedish ships as well for the coasting as for the sea-going trade, but in no case may his shares exceed one-third of the registered tonnage of the vessel.

"No foreigner can be the managing owner of a Swedish vessel."

The Maritime Law, dated the 12th June, 1891, § 1: "A vessel shall be held to be Swedish when at least two-thirds of the shares are owned by Swedish and Norwegian subjects conjointly, or when she is owned by a share Company the direction of which is situated in this country, the shareholders being Swedish subjects. The managing owner must always be a Swedish subject and a resident of this country."

* The fines inflicted and values of the goods forfeited shall be divided as laid down by § 23, which section shall also apply to the commutation of fines. (Royal Proclamation dated September 23, 1887.)

4. *Right of enjoying Protection of Artistic, Literary, and Industrial Property.*—In this respect the following Laws are in force:—

(a.) Law about the copying of works of art, dated the 3rd May, 1867. § 7 of this Law lays down as follows: "Subject to reciprocity, the Rules now given may be declared by the King in part or wholly to apply also to the copying of works of art of foreign subjects, of which the originals are abroad."

(b.) Law of Copyright, dated the 10th August, 1877, § 19: "This Law applies to the writings of Swedish subjects."

* * * * *

"The rules now laid down may be declared by the King in part or wholly to apply also to the writings of foreign subjects, presuming reciprocity from that country to which such subjects belong."

On the basis of reciprocity, the Laws named under (a) and (b) have been declared to apply to the works of Italian artists and authors (Royal Proclamation dated the 7th November, 1884), also to writings and works of art by French citizens (Royal Proclamation dated the 15th February, 1884).

The Copyright Law likewise, by a Royal Proclamation dated the 5th December, 1879, has been declared to apply to the writings of Danish authors.

(c.) The Patent Law, dated the 16th May, 1884.

(d.) Law for the protection of trade-marks, dated the 5th July, 1884.

In what degree those Laws apply to the industrial property of a foreigner is laid down by a Royal Proclamation about the protection of certain foreign patents and trade-marks dated the 26th June, 1885, § 1: "The rule given in § 25 of the Patent Law applies to patents granted in a foreign country belonging to the Union for the Protection of Industrial Property, but the time within which application shall be made to have an invention protected by letters patent in this country, after such protection has been applied for in another, shall be six months if that country be in Europe, otherwise seven months."

§ 28. Protection of trade-marks, according to the Law of the 5th July, 1884, is due to anybody who works a factory, follows a profession, or carries on a trade or business, whether mining or agricultural or other, in a country belonging to the Union for the Protection of Industrial Property, and also to anybody who is a subject of such a State or has his settlement there, whilst carrying on a trade or business in another.

To every application for the registration of a trade-mark shall be appended a certificate showing that trade-mark to be duly registered in the applicant's own country. His own country shall be held to be that State where he has his head establishment. Should it not be in any State belonging to the Union, his own country shall be held to be that State of which he is a subject.

In respect of trade-marks to be registered, the rules given in § 16 (2), (3), (4), and (5), shall likewise apply; but it should be observed that the expression "foreign country" in (3), (4), and (5) means that country where the trade-mark originated, also that application for the registration of a trade-mark in Sweden, according to (5), shall be made within three months from the date of such application having been made in that country where the mark originated, if that country be in Europe, otherwise within four months from the same date.

5. *Family Rights.*—In this respect the following enactments apply to foreigners particularly.

Ecclesiastical Law, Ch. 15, § 19: "Should any person unknown want to have his banns published, such publishing shall not be allowed to take place until he shall have given the minister sure proofs of his conduct and condition of life, or until some good men and true, there present, shall have given evidence of same."

Royal Letter dated the 12th December, 1798: "When a foreigner—man or woman—wants to enter into matrimony, but is not in a position to prove that there are no lawful objections to his or her doing so, he shall, as directed by the Royal Letter dated the 26th October, 1791, provided he shall have resided in this country for a period of not less than two years, give notice of his intention in the official Gazette. If, within a period of one year after the date of such notice, there be no objection made or otherwise known, his banns may be allowed to be published."

Royal Proclamation dated the 17th April, 1874: "Swedish and German subjects who want to enter into matrimony in that one of those countries to which they do not belong, shall, in respect of documents to be provided on such occasion, be treated as subjects of that country where the marriage takes place, but shall be bound by certificate to establish their nationality."

According to the Royal Proclamation dated the 18th September, 1874, this rule

does not apply to marriages to be contracted in this country by subjects of that part of Bavaria on the western side of the Rhine River.

With reference to marriage settlements made abroad according to c. 8, § 2 and 3 of the Marriage Act, such settlements, agreeably to Swedish law, not only must have been made in writing before the marriage and attested by witnesses, but must also be registered here, as prescribed, within a certain time, which for foreign subjects is fixed at six months, counting from the time of their settlement in this country.

Royal Circular dated the 11th February, 1847: "A foreigner having died in this country, the Rector of the parish in which the death took place, within a fortnight after such death has been notified to him, shall send in to the Governor of the 'län' a certificate showing Christian and surnames of the deceased, and stating his position, latest residence, age, place of birth, and conditions of fortune, also the names of his parents, their position and residence, and what heirs, if any, the deceased has left in this country, the papers to be finally forwarded to the Minister for Foreign Affairs."

An inventory of the estate of a deceased foreigner is not required. See Judgment of the Supreme Court dated the 6th August, 1873 (in Nauman's "Review of Legislation," &c., 1874, p. 286).

Succession Law, c. 15, § 1: "If a man dies leaving heirs abroad residing in a country where a Swedish man has no rights of succession, then the heirs do not inherit in Sweden, except they are children of or lawful issue of his body, and intend to settle in this country, and within a year and a night give security for their carrying out such intention, otherwise the Swedish heirs of the deceased shall succeed to his estate. . . .

"§ 2. If the foreign heir be residing in a country where a Swedish man has the right of succession, then he shall enjoy the same right in Sweden. . . .

"Should he not be in a position, within a year and a night, fully to prove himself to be the lawful heir, the estate shall go to the next Swedish heir-at-law, provided that, within three months after a year and a night, he shall have given lawful notice of his claim. Should he fail to do so, or there be no Swedish heir, the whole of the estate falls to the King or the one on whom he has conferred his right."

The Swedish Courts have been declared competent to settle disputes about distribution of the estate left here by a deceased foreigner. See Judgment of the Supreme Court dated the 30th October, 1888. (Holm's "New Juridical Records," 1888, p. 414). (In this case the members of the Court of Appeal ("Hofrätten") were of different opinions.) But the question whether Swedish or foreign law shall be applied is not affected by this precedent.

Succession Law, c. 20, § 8: "To act as guardians the following persons cannot be appointed neither can a foreign man."

Swedish Courts are held to be neither competent nor bound to appoint guardians for the infants of a foreigner here deceased. (See decision of the Supreme Court, 6th August, 1873, in Nauman's "Review," 1874, p. 286.)

Lastly, it should be stated that, by naturalization, a foreigner can attain the privileges of a Swedish citizen. In this respect the following Regulations apply:—

"Regeringsformen," dated the 6th June, 1809, § 28 (2): "By naturalization, the King may grant the privileges of a Swedish subject to an alien, in such a way and under such conditions as are laid down by special Law under Article 87 (1) of the Constitution. An alien, naturalized accordingly, shall enjoy all the rights and privileges of a Swedish-born man, but cannot be made a member of the Ministry."

Royal Statute for the naturalization of foreigners, dated the 27th February, 1858, § 1: If a foreigner wants to be admitted a citizen of Sweden, he shall make application to that effect to the King.

§ 2. The rights of a Swedish citizen may be attained by a foreigner who has (1) reached 21 years of age; (2) has a good character; (3) has been residing in the country three years or more; and (4) has the means of earning his living.

Should a foreigner who has got employment in the service of this country, as allowed by § 28, "Regeringsformen," or who has made himself known for conspicuous ability in science and art, in agriculture, mining, or other trades or professions, or should his being admitted a Swedish subject be found otherwise to be profitable to the country, the privileges of a Swedish citizen may be granted to him even after a shorter time of residence in the country than has been laid down above.

§ 3. "To every application for the rights of a Swedish citizen shall be appended a certificate or certificates stating the age of the applicant, the country he belongs to, and at what time he settled in this country; also the place or places he has resided in since, together with his character and religious confession.

"The authorities requested by the King to give their opinion on the application shall also endeavour to collect and report to the King all further information in the above respect that may be required."

§ 4. "In granting applications for the privileges of a Swedish citizen, it shall always be made a condition that, within the time fixed by the King, the applicant shall, before the proper authority, prove himself—unless it has been done previously—no longer to be a subject of any foreign Power, and also make his oath of allegiance as a Swedish subject.

"Should the applicant hail from a country the laws of which do not permit release from his obligations as a subject, he shall be enjoined, in making his oath of allegiance, to renounce in writing all the political rights and privileges he is possessed of in that country."

A foreign woman can acquire the rights of a Swedish citizen by naturalization, and also by contracting a marriage with a Swede. There are no express stipulations to such effect, but the principle is held to be involved by the following enactment of the Marriage Law, c. 9, § 1:—

"A man and a woman having been joined in matrimony, he is her lawful guardian, and shall sue and answer for her The wife shall be regarded as of the same standing and condition as her husband."

Royal Decree relative to relief of the poor, dated the 9th June, 1871, § 24, (1): "The wife shall be deemed to have her settlement at the same place as the husband."

On the other hand, a prolonged term of residence in Sweden does not, as is the case in Norway and Denmark, constitute citizenship.

Naturalization is deemed to comprise also the wife of the naturalized subject, but opinions differ whether it should also include children that were born before it took place.

SWITZERLAND.

No. 22.

Mr. Scott to the Earl of Rosebery.—(Received November 2.)

My Lord,

Berne, October 30, 1892.

IN obedience to the instructions of your Lordship's Circular despatch of the 13th instant, I have the honour to forward herewith copies and translations of the Laws in force in Switzerland relating to nationality and naturalization, which have been courteously supplied to me by the Federal Department for Foreign Affairs.

They consist of—

1. The Federal Law of the 3rd July, 1876, concerning naturalization and the renunciation of Swiss nationality.
2. The conditions and formalities to be fulfilled in order to obtain from the Federal Council the authority required by the Law of 1876 in the case of naturalization and of the renunciation of Swiss nationality.
3. A Circular issued by the Federal Council to all the Confederated States with respect to the issue of certificates of nationality.
4. Article 44 of the Federal Constitution of 1874.

No other Act of federal legislation or regulation respecting this matter is at present in force.

As regards the observations which I have been desired to add for the elucidation of these Laws and Regulations with special reference to any interpretation of them affecting foreigners, the Federal Department has called my attention to the following points:—

1. In the terms of the Federal Constitution "every citizen of a Canton is a Swiss citizen." In order to become a Swiss citizen it is necessary to be a citizen of a Canton, and in order to be a citizen of a Canton it is necessary to be a member of a Commune of that Canton. The commune is the legal basis of the right of Swiss citizenship.

The place of birth has no bearing whatever on this question. A Swiss citizen remains an "originaire" of the Commune to which his father belongs or belonged (or the mother in the case of an illegitimate child).

2. A foreigner desiring to obtain Swiss nationality must apply for the necessary permission to the Federal Council, and then get himself received as citizen of a Commune and of a Canton, in conformity with the provisions of the law in force in the Canton in question.

(It is to be observed here that the Cantons of Switzerland are twenty-five in number, and the laws are not always similar in each.)

The admission of a foreigner to membership of a Commune takes place by a majority of votes. It is on the basis of admission to a Commune that the Legislative Assembly of the Canton confers Cantonal naturalization, and with it the rights of Swiss citizenship.

Naturalization in the form just described is the only manner by which Swiss nationality can be acquired.

Birth on Swiss territory, even after several generations, has no influence whatever in this respect.

In order to become a Swiss citizen, the foreigner must make a formal application under the prescribed conditions and formalities for the authority of the Federal Council to become naturalized.

3. Swiss nationality cannot be lost except by a release accorded on the ground of an act of renunciation addressed to the Cantonal Government under the conditions laid down in Article 7 of the Federal Law of 1876. The Federal Tribunal decides any case in which the right of renunciation is disputed.

Residence abroad, even during a succession of generations, or even the fact of having acquired a foreign nationality, does not carry with it the loss of Swiss nationality. This requires a formal act of renunciation.

The right of Swiss citizenship cannot, moreover, be lost by a penal measure.

The loss of citizenship in a Canton is identical with the loss of Swiss nationality; there is no right of Swiss citizenship existing apart from the right of Cantonal citizenship.

I have, &c.
(Signed) CHARLES S. SCOTT.

Inclosure 1 in No. 22.

Federal Law concerning Swiss Naturalization and the Renunciation of Swiss Nationality.

(Translation.)

THE Federal Assembly of the Swiss Confederation, in execution of Article 44 of the Federal Constitution, considering the Message of the Federal Council of the 2nd June, 1876, decrees:—

I.—Respecting Swiss Naturalization.

Article 1. A foreigner desirous of acquiring Swiss nationality (the right of Swiss citizenship) must apply to the Federal Council for permission to be received as a citizen of a Canton and of a Commune.

The sanction of the Federal Council must also be obtained, through the channel of the Cantonal Government, when there is a question of conferring naturalization on a foreigner as a gift.

Art. 2. The Federal Council will only grant this permission to foreigners—

(1.) Who have had their ordinary domicile in Switzerland for a period of two years;

(2.) Whose relations with their country of origin are such that their admission to Swiss nationality is not likely to cause any prejudice to the Confederation.

Art. 3. Naturalization extends to the wife of the foreigner naturalized and to all his children who are under age, unless a formal exception has been made in respect to them in virtue of Article 2, clause (2).

Art. 4. Every decision conferring on a foreigner Cantonal and Communal naturalization is void unless it be previously sanctioned by the Federal Council.

On the other hand, Swiss nationality is only acquired when the sanction of the Federal Council is followed by Cantonal and Communal naturalization in conformity with the dispositions of the law of the Canton in question.

The sanction of the Federal Council lapses if advantage is not taken of it within two years from the day on which it has been granted.

Art. 5. No one can claim in regard to a foreign State in which he resides, the rights and protection attaching to the status of a Swiss citizen, if he has retained the nationality of that State independently of the Swiss nationality.

II.—Respecting the Renunciation of Swiss Nationality.

Art. 6. A Swiss citizen can renounce his nationality; to do so he must—

(a.) No longer have his domicile in Switzerland.

(b.) Be in the enjoyment of civil rights in the country in which he resides.

(c.) Possess, in the terms of the last paragraph of Article 8, a foreign nationality acquired or assured to himself, his wife, and his children who are under age.

Art. 7. The declaration of the renunciation of Swiss nationality must be communicated in writing, together with the necessary documentary evidence, to the Cantonal Government. The latter notifies it to the Commune of origin, and fixes a maximum term of four weeks for any objections which the Commune or other interested parties may wish to submit.

If the right to renounce Swiss nationality is contested, the ultimate decision rests with the Federal Tribunal, in accordance with Articles 61 to 63 of the Law of the 27th June, 1874, respecting the organization of Federal justice.

Art. 8. If the conditions mentioned in Article 6 are fulfilled, and if no objections are raised, or if the objections raised have been set aside by the Judge, the competent authority, in accordance with the provisions of the law of the Canton, declares the applicant to be released from the obligations of Cantonal and Communal nationality.

This release, which carries with it the loss of the rights of Swiss citizenship, takes effect from the delivery to the applicant of the act of release.

The release extends to his wife, and to his children who are under age when they live together as one family, and when no special exception has been made in regard to them.

Art. 9. The widow or the divorced wife of a Swiss citizen who has renounced his nationality, as well as the children who were still under age at the time when the renunciation was made, may apply to the Federal Council to be readmitted to Swiss nationality. This right lapses after a period of ten years, commencing, in the case of the children, from their majority, and, in the case of the wife, from the dissolution of her marriage.

The Federal Council will grant this readmission if the applicants fulfil the conditions required for naturalization by Article 2, clause (2), and if they reside in Switzerland.

The admission to Swiss nationality will date from the delivery to them of the instrument in which it is recorded, and will at once restore to them Cantonal and Communal nationality.

The Cantons may facilitate the restoration of Swiss nationality, provided always that the dispositions of Article 2, clause (2), of the present Law be complied with.

III.—*Final Provisions.*

Art. 10. All the provisions of Federal and Cantonal laws which are contrary to the present Law are annulled.

Art. 11. The Federal Council is charged in accordance with the terms of the Federal Law of the 17th June, 1874, respecting the popular vote on Federal Laws and Ordinances, to publish the present Law and to fix the date of its coming into force.

So decreed by the Council of States.

The Vice-President,
(Signed) A. ROTH.
The Secretary,
(Signed) J. L. LÜTSCHER.

Berne, July 1, 1876.

So decreed by the National Council.

The President,
(Signed) AEPPLI.
The Secretary,
(Signed) SCHIESS.

Berne, July 3, 1876.

The Federal Council decrees:

The Federal Law above given, published on the 23rd August, 1876, in the "Feuille Fédérale," will enter into force in virtue of the 89th Article of the Federal Constitution, and will be applied on and from the 1st January, 1877.

In the name of the Swiss Federal Council:

The President of the Confederation,
(Signed) WELTI.
The Chancellor of the Confederation,
(Signed) SCHIESS.

Berne, November 22, 1876.

Inclosure 2 in No. 22.

Circular of the Federal Council to all the Confederated States respecting the granting of Certificates of Naturalization, March 10, 1884.

(Translation.)

Dear and Faithful Confederates,

THE Federal Law of the 3rd July, 1876, respecting Swiss naturalization and the renunciation of Swiss nationality, lays down, in Article 2, clause (1), that permission to become a citizen of a Swiss Canton and Commune can only be granted to such persons as have had their ordinary domicile in Switzerland for a period of two years. By "ordinary domicile" is meant an actual and uninterrupted residence.

It frequently happens that candidates for naturalization are not able to fulfil this condition. This is especially the case with those whose only object in seeking Swiss nationality is to escape from military service in their own country. Such persons often merely procure a permit to reside or to establish themselves in the country, without availing themselves of it, and without really transferring their domicile to Switzerland.

Now, it is not a rare occurrence that certificates vouching to "the ordinary domicile in Switzerland for two years past" are delivered by the local police authorities, on the grounds that the candidate has for the past two years been in possession of a permit to reside or to establish himself in the country, that he has not yet withdrawn his act of origin, or that he has not announced his departure, &c.

Such a mode of procedure must be qualified as an act of negligence in direct violation of the principal provision of the Law, and we trust that we can count on your support in insisting that the practice shall be put a stop to.

We rigidly maintain that every candidate for naturalization must produce proof of an uninterrupted residence of two years in Switzerland, and we cannot admit that the mere fact of his giving up his papers and obtaining a permit of residence or establishment can take the place of personal domicile.

We have consequently to request that you will take the necessary steps to insure that the certificates in question give "the real domicile" required by the law, and indicate the grounds on which they have been granted. If this is not done, we shall be obliged to refuse our sanction to the proposed naturalization.

We beg that you will be good enough to inform us of the measures which you may take in the sense of the present Circular, and we avail ourselves of the opportunity, &c.

In the name of the Swiss Federal Council:

The President of the Confederation,
(Signed) WELTI.

The Chancellor of the Confederation,
(Signed) RINGIER.

Berne, March 10, 1884.

Inclosure 3 in No. 22.

The Conditions and Formalities to be fulfilled in order to obtain from the Federal Council the authority required by the Law of 1876 in the case of Naturalization or of the renunciation of Swiss Nationality.

(Decisions of March 29, 1877, July 5, 1878, and October 23, 1880, revised December 23, 1890.)

(Translation.)

A FOREIGNER desirous of obtaining Swiss nationality (the rights of Swiss citizenship) must apply to the Federal Council for permission to be received as a citizen of a Canton and of a Commune (Federal Law of the 3rd July, 1876, Article 1, paragraph 1). He will have to comply with the following regulations:—

Personal Identity.

§ 1. The applicant must annex to his request, written on a double sheet of unstamped paper, a certificate of birth, a certificate of origin, or some other similar document stating—

His name and Christian name.

The date and place of his birth.

His place of origin.

The application should also indicate the profession of the applicant, and should state whether he is a bachelor, married, a widower, or divorced, and whether he has children.

If he is married, he must produce his marriage certificate and the birth certificate of his wife, or some other similar document stating her name and Christian name; if he has children, he must produce either the birth certificate of each child, or one single certificate issued by the competent authority, and giving their names, Christian names, and the dates of their birth ("Familienodien"). A widower must likewise produce the

certificate of his wife's death, and a divorced husband a certified copy of the Judgment which pronounced the dissolution of the marriage.

Children under Age.

§ 2. Children under age have to produce, in support of their application, the sanction, duly attested, of their guardian or of the person who exercises paternal authority over them. Minors emancipated have to produce an attested copy of their act of emancipation.

Domicile.

§ 3. An applicant must prove that he has been living and has had his ordinary domicile in Switzerland for a term of two years (Article 2 of the Law). He must, consequently, produce a document or documents certifying to the fact that during the period of two years immediately preceding his application he has resided continuously in Switzerland. (Circular of the 10th March, 1884. "Feuille Fédérale" of 1884, vol. 1, p. 512.)

These certificates are to be given either by the police of the Cantons or by the competent authority of the Commune or Communes in which the applicant has resided.

Relations of the Applicant with his Country of Origin.

§ 4. Persons who by the laws of their country are not free to seek naturalization abroad without the previous sanction of their Government, or without fulfilling some other formality, have to prove, as a general rule, that they have complied with the requirements of the law in their country.

This will be considered to have been proved in the case of subjects and citizens of the States hereafter mentioned, when the following rules have been observed:—

Germany.—Subjects of the German Empire must produce an official declaration, signed by the competent authority of their State of origin, formally stating that an act of release or permit of expatriation ("Entlassungsurkunde") will be granted them on obtaining the rights of Swiss citizenship.

Austria-Hungary.—Subjects of the States of Austria, that is to say, of the kingdoms and countries represented in the Austrian Parliament, must, if not liable to military service, produce a declaration, signed by the competent administrative authority, stating that there is no legal obstacle in the way of their expatriation. If they belong to the regular army, including the reserve, they must produce a declaration of the Imperial and Royal Ministry for War, stating formally that a permit of expatriation will be granted them on obtaining the right of Swiss citizenship. If, being of the age prescribed for military service, they have not yet been enrolled, or if they belong to the Landwehr, they must produce a similar declaration of the Austrian Ministry of National Defence ("Landesvertheidigungsministerium.")

Subjects of the States of the Crown of Hungary must, if not liable to military service, produce an official declaration of the Hungarian Ministry of the Interior, formally stating that a permit of expatriation will be granted them on obtaining the right of Swiss citizenship; if they are in the regular army, including the reserve, they must obtain such a declaration from the Imperial and Royal Ministry for War, and, if they are in the Landwehr, from the Hungarian Ministry of National Defence.

Belgium.—Belgians are not required to produce any authority, nor to fulfil any formality as regards their own Government, in order to obtain naturalization in a foreign country.

United States of America.—The same remark holds good for citizens of the United States.

France.—French citizens liable to military service in the active army and the reserve have to produce the sanction of their Government. (Article 17 of the French Law of the 26th June, 1889, on nationality.)

Frenchmen, who have passed the age of 30, must show that they have completed their military duties in their country of origin, or sign an engagement as prescribed in § 6.

Italy.—Italian subjects have to produce a declaration from the competent Prefecture of their country, stating that they have completed the military service required of them, and that they are thus no longer liable to enlistment. Italians who have renounced their nationality in conformity with the terms of § 1 of Article 11 of the Italian Civil Code, have to produce an attested copy of their act of renunciation.

Holland.—The same remark applies as in the case of Belgians and citizens of the United States.

Russia (and Poland).—Russian subjects by origin, or Russians naturalized before the Regulation of the 10th (22nd) February, 1864, have to produce the sanction of the Emperor, obtained through the Imperial Ministry of the Interior. Foreigners who have acquired the Russian nationality subsequently to the Decree above quoted have to apply to the chief authority of their province, and Poles to the local police authority.

§ 5. Apart, however, from the regulations laid down in § 4, naturalization may be granted in the following cases:—

(1.) To the children of foreigners born on Swiss territory who have been always resident on it.

(2.) To persons who are the issue of a marriage between a Swiss woman and a foreigner.

(3.) To foreigners who have married a Swiss wife.

(4.) To foreigners invested with public functions in Switzerland.

(5.) To foreigners who have left their own country in order to live in Switzerland before being placed on the recruiting lists of their country of origin.

(6.) To foreigners who have passed the age of active military service in their country of origin.

§ 6. The Federal Department of Foreign Affairs may, if it thinks necessary, require from candidates for naturalization a written engagement that they will bear alone the consequences of their naturalization as regards their relations with their country of origin.

Translation of Documents written in a Foreign Language.

§ 7. Every document written in a language other than German, French, Italian, or Latin must be accompanied by an official translation in one of those four languages. Otherwise the Chancery of the Federal Department for Foreign Affairs may have a translation made at the cost of the applicant.

Tax.

§ 8. A fee of 35 fr. (1l. 8s.) will be charged for granting the permission to acquire the right of Swiss citizenship (Federal Law of the 10th June, 1879, Article 4). The amount of the tax, as well as that of any expenses which may be caused to the Administration, is collected by the Federal Chancery by reimbursement through the post.

Inclosure 4 in No. 20.

Article 44 of the Federal Constitution.

(Translation.)

A CANTON cannot banish from its territory one of its own citizens, nor deprive him of the right of origin or of citizenship.

The Federal Legislature will determine the conditions upon which foreigners may be naturalized, as well as those upon which a Swiss may renounce his nationality in order to obtain naturalization in a foreign country.

TURKEY.

No. 23

Sir Clare Ford to the Earl of Rosebery.—(Received November 23.)

My Lord,

Constantinople, November 4, 1892.

IN reply to your Lordship's Circular of the 13th September, I have the honour to forward herewith copy of the Ottoman Law of Nationality, and of a Ministerial Circular on the same subject.

I have, &c.

(Signed)

FRANCIS CLARE FORD.

Inclosure 1 in No. 23.

Turkish Nationality Law, dated 6 Chewal, 1285 (January 19, 1869).

ARTICLE 1. Tout individu né d'un père Ottoman et d'une mère Ottomane, ou seulement d'un père Ottoman, est sujet Ottoman.

Art. 2. Tout individu né sur le territoire Ottoman, de parents étrangers, peut, dans les trois années qui suivront sa majorité, revendiquer la qualité de sujet Ottoman.

Art. 3. Tout étranger majeur qui a résidé durant cinq années consécutives dans l'Empire Ottoman peut obtenir la nationalité Ottomane, en adressant directement ou par intermédiaire sa demande au Ministre des Affaires Étrangères.

Art. 4. Le Gouvernement Impérial pourra accorder extraordinairement la nationalité Ottomane à l'étranger qui, sans remplir les conditions de l'Article précédent, serait jugé digne de cette faveur exceptionnelle.

Art. 5. Le sujet Ottoman qui a acquis une nationalité étrangère avec l'autorisation du Gouvernement Impérial est considéré et traité comme sujet étranger; si, au contraire, il s'est naturalisé étranger sans l'autorisation préalable du Gouvernement Impérial, sa naturalisation sera considérée comme nulle et non avenue, et il continuera à être considéré et traité en tous points comme sujet Ottoman.

Aucun sujet Ottoman ne pourra, dans tous les cas, se naturaliser étranger qu'après avoir obtenu un acte d'autorisation délivré en vertu d'un Iradé Impérial.

Art. 6. Néanmoins le Gouvernement Impérial pourra prononcer la perte de la qualité de sujet Ottoman contre tout sujet Ottoman qui se sera naturalisé à l'étranger ou qui aura accepté des fonctions militaires près d'un Gouvernement étranger sans l'autorisation de son Souverain.

Dans ce cas, la perte de la qualité de sujet Ottoman entraînera de plein droit l'interdiction, pour celui qui l'aura encourue, de rentrer dans l'Empire Ottoman.

Art. 7. La femme Ottomane qui a épousé un étranger peut, si elle devient veuve, recouvrer sa qualité de sujette Ottomane, en en faisant la déclaration dans les trois années qui suivront le décès de son mari. Cette disposition n'est toutefois applicable qu'à sa personne; ses propriétés sont soumises aux lois et règlements généraux qui les régissent.

Art. 8. L'enfant même mineur d'un sujet Ottoman qui s'est naturalisé étranger ou qui a perdu sa nationalité, ne suit pas la condition de son père et reste sujet Ottoman. L'enfant même mineur d'un étranger qui s'est naturalisé Ottoman, ne suit pas la condition de son père et reste étranger.

Art. 9. Tout individu habitant le territoire Ottoman est réputé sujet Ottoman et traité comme tel, jusqu'à ce que sa qualité d'étranger ait été régulièrement constatée.

(Translation.)

ARTICLE 1. Every person born of an Ottoman father and of an Ottoman mother, or only of an Ottoman father, is an Ottoman subject.

Art. 2. Every person born on Ottoman territory of foreign parents can, during the three years following his majority, claim the status of an Ottoman subject.

Art. 3. Every alien of full age who has for five consecutive years resided in the Ottoman Empire, can obtain Ottoman nationality by addressing his request direct, or by intermediary, to the Minister for Foreign Affairs.

Art. 4. The Imperial Government may, under special circumstances, grant Ottoman nationality to an alien who, without fulfilling the conditions laid down in the preceding Article, may be deemed worthy of this exceptional favour.

Art. 5. An Ottoman subject who has acquired a foreign nationality, with the authority of the Imperial Government, is considered and treated as a foreign subject; if, on the other hand, he becomes a naturalized foreigner without the previous authority of the Imperial Government, his naturalization shall be considered as null and void, and he shall continue to be considered and treated in every way as an Ottoman subject.

No Ottoman subject can in any case acquire foreign nationality without having obtained an act of authorization delivered by virtue of an Imperial Iradé.

Art. 6. Nevertheless, the Imperial Government can decree the loss of status as an Ottoman subject against every Ottoman subject who shall naturalize himself abroad, or who shall have accepted military duties under a foreign Government, without the authority of his Sovereign.

In such case the loss of status as an Ottoman subject shall carry with it, in regard to the person concerned, an absolute prohibition to re-enter the Ottoman Empire.

Art. 7. An Ottoman woman who shall have married an alien may, on becoming a widow, recover her status as an Ottoman subject, by making a declaration within the three years following the decease of her husband. This provision is, however, only applicable to her person; her property shall be subject to the laws and general regulations applicable thereto.

Art. 8. The child, even if a minor, of an Ottoman subject who has become a naturalized foreigner, or who has lost his nationality, does not follow the status of the father, but remains an Ottoman subject. The child, even if a minor, of a foreigner who has become a naturalized Ottoman subject, does not follow the status of his father, but remains a foreigner.

Art. 9. Every one living in Ottoman territory is reputed an Ottoman subject, and treated as such until his status of foreigner has been regularly proved.

Inclosure 2 in No. 23.

*Circular addressed to the Governors-General of the Vilayets of the Empire, dated
March 26, 1869.*

JE vous ai précédemment transmis la Loi sur la nationalité Ottomane, promulguée le 6 Chawal, 1285 (19 Janvier, 1869). Quoique dans son ensemble cette Loi ne puisse donner lieu à des interprétations divergentes, je tiens à vous préciser l'esprit qui a dicté ses dispositions les plus importantes.

Je n'ai pas, d'abord, besoin de vous dire que cette Loi, comme toute Loi d'ailleurs, n'a pas d'effet rétroactif; tous ceux qui ont été déjà admis à la nationalité Ottomane, et tous les sujets Ottomans d'origine, qui, soit en vertu des Traités, soit en vertu d'ententes spéciales intervenues entre la Sublime Porte et les Missions étrangères accréditées auprès d'elle, ont été reconnus par le Gouvernement Impérial comme ayant acquis une nationalité étrangère, restent sujets Ottomans ou étrangers, comme par le passé.

Les dispositions contenues dans les Articles 1, 2, 3, et 4 sont assez simples pour se passer de commentaires. Je vous rappellerai seulement que comme la loi personnelle de chacun, c'est-à-dire la loi du pays d'origine, est celle qui fixe l'époque de sa majorité, et que cette Loi varie suivant les pays, la majorité étant fixée dans quelques-uns à 25 ans, et au-dessus ou au-dessous de cet âge dans d'autres, tout sujet étranger qui demandera la naturalisation Ottomane devra prouver qu'il est majeur suivant la loi du pays dont il est originaire.

L'Article 5 exige du sujet Ottoman, qui veut acquérir une nationalité étrangère, de se munir préalablement d'un acte d'autorisation, qui lui sera délivré en vertu d'un Iradé Impérial, sans quoi sa naturalisation sera toujours considérée comme nulle et non avenue, et le Gouvernement Impérial pourra même (Article 6) prononcer contre lui la perte de la qualité de sujet Ottoman, ce qui importera de plein droit l'interdiction de rentrer dans l'Empire Ottoman. Il appartient exclusivement au Gouvernement Impérial de prononcer la peine édictée par l'Article 6. Les autorités Impériales se borneront à considérer

comme nulle et non avenue la naturalisation étrangère acquise sans autorisation par tout sujet Ottoman d'origine, et elles ne prendront aucune mesure d'expulsion, sans avoir préalablement reçu les ordres directs de la Sublime Porte.

Comme la femme Ottomane qui épouse un étranger cesse d'être sujette Ottomane, l'Article 7 lui accorde la faculté de recouvrer, si elle devient veuve, sa nationalité originaire, en le déclarant à l'autorité Ottomane dans les trois ans qui suivront la mort de son mari.

L'Article 8 établit que la naturalisation du père n'emporte pas celle des enfants, lors même qu'ils seraient mineurs. Le bénéfice de la naturalisation, accordée au père, n'est étendu à ses enfants qu'autant qu'ils le veulent. S'ils sont majeurs, ils sont libres de suivre la condition de leur père, en en faisant la demande; dans le cas contraire, ils peuvent le faire aussitôt qu'ils ont atteint leur majorité. Il est aisé de comprendre que cette disposition, conforme d'ailleurs à celle de la plupart des Législations Européennes, est édictée dans l'intérêt même des enfants, à qui la naturalisation du père pourrait parfois ne pas convenir ou être même préjudiciable.

Cette disposition ne s'applique pas, toutefois, aux enfants nés après la naturalisation du père. Ceux-là suivent la condition de leur père et font partie de la nation à laquelle ils appartiennent par suite de sa naturalisation.

La dernière disposition de la Loi se rapporte exclusivement aux cas d'individus que l'on aurait des raisons de croire sujets Ottomans, et qui revendiqueraient une nationalité étrangère sans être en mesure de justifier leur dire. Il est clair que en cas de contestation, la preuve de la nationalité étrangère incombe à celui qui la revendique, et jusqu'à ce qu'il fournisse cette preuve, les autorités Impériales doivent, autant qu'il se trouve sur le territoire Ottoman, le considérer et le traiter comme sujet Ottoman.

Il est inutile d'ajouter que l'Article 8 ne porte aucune atteinte aux droits acquis aux étrangers par les Traités, et n'autorise point les autorités Impériales à ce départir des règles découlant de ces Traités dans leurs rapports avec les étrangers.

Je conclurai, M. le Gouverneur-Général, en vous faisant observer que la naturalisation ne peut en aucun cas avoir pour effet de soustraire l'individu naturalisé aux poursuites civiles ou criminelles, qui auraient été intentées contre lui antérieurement à l'époque de sa naturalisation, par-devant l'autorité dont il relevait jusque-là.

Vous voudrez bien, M. le Gouverneur-Général, vous conformer strictement à ces instructions dans l'application des dispositions de la nouvelle Loi. Afin de faciliter votre tâche, cette communication sera également transmise aux Missions étrangères accréditées auprès de la Sublime Porte, pour être portée à la connaissance de leurs Agents dans les provinces.

(Translation.)

I HAVE previously transmitted to you the Ottoman Law of Nationality which was promulgated on the 19th January, 1869. Although, when taken as a whole, this Law cannot give rise to any divergent interpretations, I consider that I ought to explain to you the spirit which has dictated its most important provisions.

It is unnecessary for me to tell you that this Law, as in the case of all Laws, has no retrospective effect; all those who have been already admitted to Ottoman nationality, and all Ottoman subjects by origin who, whether by virtue of Treaties or by special agreements entered into between the Sublime Porte and the foreign Missions accredited to her, have been recognized by the Imperial Government as having acquired a foreign nationality, remain, as hitherto, Ottoman subjects or foreigners.

The provisions contained in Articles 1, 2, 3, and 4 are simple enough to render comment unnecessary. I would only call your attention to the fact that as the Law applicable to each person, that is to say, the Law of the country of origin, is that which fixes the date of the majority, and that such law varies according to the countries, the majority being fixed in some at 25 years, and either above or under that age in others, every foreign subject who shall demand Ottoman naturalization must prove that he is of full age according to the law of his country of origin.

Article 5 requires that an Ottoman subject, who wishes to acquire a foreign nationality, should provide himself in the first place with an act of authorization, which shall be delivered to him by virtue of an Imperial Iradé, without which his naturalization will always be considered null and void, and the Imperial Government can even decree (Article 6) the loss of his status as an Ottoman subject, which will carry the absolute prohibition of returning to the Ottoman Empire. It appertains exclusively to the Imperial Government to pronounce the penalty provided by Article 6. The Imperial authorities will limit themselves to considering as null and void foreign naturalization acquired without

authority by every Ottoman subject by origin, and they will not take any measure of expulsion without having first received direct orders from the Sublime Porte.

As an Ottoman woman, who marries a foreigner, ceases to be an Ottoman subject, Article 7 accords her the power of recovering, if she becomes a widow, her original nationality, by making a declaration to the Ottoman authorities within the three years following the death of her husband.

Article 8 establishes that the naturalization of the father does not carry that of the children, even when they are minors. The benefit of naturalization accorded to the father only extends to his children, as far as they may wish it to do so. If they are of full age, they are free to follow the condition of their father, on making a request to that effect. If they are under age, they can make the request as soon as they attain their majority. It is easy to understand that this enactment, which moreover conforms to that of the majority of European Laws on the subject, is made in the interests of the children themselves, to whom the naturalization of the father might not be convenient, or to whom it might even be prejudicial.

This provision does not apply, however, to children born after the naturalization of the father. These follow the condition of their father, and form part of the nation to which they belong by reason of their father's naturalization.

The last provision of the Law applies exclusively to the case of individuals who there may be reason to believe to be Ottoman subjects, and who may claim a foreign nationality without being in a position to justify their contention. It is clear that in a disputed case the proof of foreign nationality falls upon the person who makes the claim, and until the proof is furnished the Imperial authorities should, as long as the person remains on Ottoman territory, consider and treat him as an Ottoman subject.

It is unnecessary to add that Article 8 does not in any way touch the rights of foreigners acquired by Treaty, and does not in any way authorize the Imperial authorities to depart from the rules following from those Treaties in so far as they affect foreigners.

I will conclude, M. le Gouverneur-Général, by calling your attention to the fact that naturalization can never in any case have the effect of withdrawing the individual naturalized from civil or criminal processes which may have been instituted against him, before the date of his naturalization, by the authorities to whose jurisdiction he was then subject.

You will be good enough, M. le Gouverneur-Général, to strictly conform to these instructions in the application of the provisions of the new Law. In order to facilitate your task, this communication will be also transmitted to the foreign Missions accredited to the Sublime Porte, in order that they may be brought to the knowledge of their Agents in the provinces.

PART II.

EXTRA-EUROPEAN COUNTRIES.

UNITED STATES.

No. 24.

Sir J. Pauncefote to the Earl of Rosebery.—(Received January 17.)

My Lord,

Washington, January 6, 1893.

IN accordance with the instructions contained in your Lordship's Circular despatch of the 13th October, I have the honour to inclose a Report on the Naturalization Laws of the United States which has been drawn up by Mr. Carlisle, the Legal Adviser of this Legation.

This Report consists of:—

1. Copy of Title XXX Revised Statutes of the United States, edition 1878.
2. Copies of the only three Acts passed since the revision in question.
3. Notes of cases on the subject of naturalization.

Mr. Carlisle states that, without knowing to what special point to address himself, he has not added any observations to his Report; but I may mention that the whole subject of naturalization in the United States is elaborately treated in Wharton's "Digest of International Law." I will not fail to report to your Lordship any future changes which may be made in the existing naturalization laws of the United States.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 24.

TITLE XXX.—NATURALIZATION.

Revised Statutes of the United States, Edition of 1878, Sections 2165 to 2174 inclusive.

Section.

2165. Aliens; how naturalized.
2166. Aliens honourably discharged from military service.
2167. Minor residents.
2168. Widow and children of declarants.
2169. Aliens of African nativity and descent.
2170. Residence of five years in the United States.
2171. Alien enemies not admitted.
2172. Children of persons naturalized under certain Laws to be citizens.
2173. Police Court of District of Columbia has no power to naturalize foreigners.
2174. Naturalization of seamen.

Section 2165. An alien may be admitted to become a citizen of the United States in the following manner, and not otherwise:—

1. He shall declare on oath, before a Circuit or District Court of the United States, or a District or Supreme Court of the Territories, or a Court of Record of any of the States having common law jurisdiction, and a seal and clerk, two years, at least, prior to his admission, that it is *bonâ fide* his intention to become a citizen of the United States, and to renounce for ever all allegiance and fidelity to any foreign Prince, Potentate, State, or Sovereignty, and, particularly, by name, to the Prince, Potentate, State, or Sovereignty of which the alien may be at the time a citizen or subject.

April 14, 1802, c. 28, ss. 1, 3, v. 2, pp. 153, 155.

May 26, 1824, c. 186, s. 4, v. 4, p. 69.

February 1, 1876, c. 5, v. 19, p. 2; *Campbell v. Gordon*, 6 Cr., 176; *Stark v. Chesapeake Ins. Co.*, 7 Cr., 420; *Chirack v. Chirack*, 2 Wh., 259; *Osborne v. United States' Bank*, 9 Wh., 827; *Spratt v. Spratt*, 4 Pet., 393.

2. He shall, at the time of his application to be admitted, declare, on oath, before

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R 2

Alien how naturalized.

Declaration of intention.

Oath to support the Constitution of the United States.

some one of the Courts above specified, that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to every foreign Prince, Potentate, State, or Sovereignty, and, particularly, by name, to the Prince, Potentate, State, or Sovereignty, of which he was before a citizen or subject, which proceeding shall be recorded by the Clerk of the Court.

April 14, 1802, c. 28, s. 1, v. 2, p. 153.

Residence in United States, or States, and good moral character.

3. It shall be made to appear to the satisfaction of the Court admitting such alien that he has resided within the United States five years at least, and within the State or Territory where such Court is at the time held, one year at least; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; but the oath of the applicant shall in no case be allowed to prove his residence,

Titles of nobility to be renounced.

4. In case the alien applying to be admitted to citizenship has borne any hereditary title, or been of any of the orders of nobility in the Kingdom or State from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility in the Court to which his application is made, and his renunciation shall be recorded in the Court.

Persons residing in the United States before January 29, 1795.

5. Any alien who was residing within the limits and under the jurisdiction of the United States before the 29th day of January, 1795, may be admitted to become a citizen, on due proof made to some one of the Courts above specified, that he has resided two years, at least, within the jurisdiction of the United States, and one year, at least, immediately preceding his application, within the State or Territory where such Court is at the time held; and on his declaring on oath that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to any foreign Prince, Potentate, State, or Sovereignty, and, particularly, by name, to the Prince, Potentate, State, or Sovereignty whereof he was before a citizen or subject; and, also, on its appearing to the satisfaction of the Court that during such term of two years he has behaved as a man of good moral character, attached to the Constitution of the United States, and well disposed to the good order and happiness of the same; and where the alien applying for admission to citizenship has borne any hereditary title, or been of any of the orders of nobility in the Kingdom or State from which he came, on his, moreover, making in the Court an express renunciation of his title or order of nobility. All of the proceedings, required in this condition to be performed in the Court, shall be recorded by the Clerk thereof.

Persons residing between June 18, 1798, and June 18, 1812.

6. Any alien who was residing within the limits and under the jurisdiction of the United States, between the 18th day of June, 1798, and the 18th day of June, 1812, and who has continued to reside within the same, may be admitted to become a citizen of the United States without having made any previous declaration of his intention to become such; but whenever any person, without a certificate of such declaration of intention, makes application to be admitted a citizen, it must be proved to the satisfaction of the Court, that the applicant was residing within the limits and under the jurisdiction of the United States before the 18th day of June, 1812, and has continued to reside within the same; and the residence of the applicant within the limits and under the jurisdiction of the United States, for at least five years immediately preceding the time of such application, must be proved by the oath of citizens of the United States, which citizens shall be named in the record as witnesses; and such continued residence within the limits and under the jurisdiction of the United States, when satisfactorily proved, and the place where the applicant has resided for at least five years, shall be stated and set forth, together with the names of such citizens, in the record of the Court admitting the applicant; otherwise the same shall not entitle him to be considered and deemed a citizen of the United States.

March 22, 1816, c. 31, s. 2, v. 3, p. 259.

May 24, 1828, c. 116, s. 2, v. 4, p. 310.

Declaration for naturalization, how made.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the declaration of intention to become a citizen of the United States, required by Section 2165 of the Revised Statutes of the United States, may be made by an alien before the Clerk of any of the Courts named in said

Section 2165; and all such declarations heretofore made before any such Clerk, are hereby declared as legal and valid as if made before one of the Courts named in said Section.

February 1, 1876, c. 5, v. 19, p. 2.

Section 2166. Any alien of the age of 21 years and upward, who has enlisted or Aliens honourably discharged from military service. may enlist in the armies of the United States, either the regular or the volunteer forces, and has been or may be hereafter honourably discharged, shall be admitted to become a citizen of the United States, upon his petition without any previous declaration of his intention to become such; and he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen, and the Court admitting such alien shall, in addition to such proof of residence and good moral character, as now provided by law, be satisfied by competent proof of such persons having been honourably discharged from the service of the United States.

July 17, 1862, c. 200, s. 21, v. 12, p. 597.

Section 2167. Any alien, being under the age of 21 years, who has resided in the Minor residents. United States three years next preceding his arrival at that age, and who has continued to reside therein to the time he may make application to be admitted a citizen thereof, may, after he arrives at the age of 21 years, and after he has resided five years within the United States, including the three years of his minority, be admitted a citizen of the United States, without having made the declaration required in the first condition of Section 2165; but such alien shall make the declaration required therein at the time of his admission; and shall further declare on oath, and prove to the satisfaction of the Court, that, for two years next preceding, it has been his *bond fide* intention to become a citizen of the United States; and he shall in all other respects comply with the laws in regard to naturalization.

May 26, 1824, c. 186, s. 1, v. 4, p. 69.

Section 2168. When an alien, who has complied with the first condition specified in Widow and children of declarants. Section 2165, dies before he is actually naturalized, the widow and the children of such alien shall be considered as citizens of the United States, and shall be entitled to all rights and privileges as such, upon taking the oaths prescribed (a) by law.

March 26, 1804, c. 47, s. 2, v. 2, p. 293.

(a.) Error in the Roll; should be prescribed.

Section 2169. The provisions of this title shall apply to aliens [being free white Aliens of African nativity and descent. persons, and to aliens] of African nativity and to persons of African descent.

July 14, 1870, c. 254, s. 7, v. 16, p. 256; 18th February, 1875, c. 80, v. 18, p. 318.

Section 2170. No alien shall be admitted to become a citizen who has not for the Residence of five years in United States. continued term of five years next preceding his admission resided within the United States.

March 3, 1813, c. 42, s. 12, v. 2, p. 811.

Section 2171. No alien who is a native citizen or subject or a denizen of any country, Alien enemies not admitted. State, or Sovereignty with which the United States are at war, at the time of his application, shall be then admitted to become a citizen of the United States; but persons resident within the United States or the Territories thereof, on the 18th day of June, in the year 1812, who had before that day made a declaration according to law of their intention to become citizens of the United States, or who were on that day entitled to become citizens without making such declaration, may be admitted to become citizens thereof, notwithstanding they were alien enemies at the time and in the manner prescribed by the laws heretofore passed on that subject; nor shall anything herein contained be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy at any time previous to the actual naturalization of such alien.

April 14, 1802, c. 28, s. 1, v. 2, p. 153.

July 30, 1813, c. 36, v. 3, p. 53.

Section 2172. The children of persons who have been duly naturalized under any Law of the United States, or who, previous to the passing of any Law on that subject, by the Government of the United States, may have become citizens of any one of the States, under the laws thereof, being under the age of 21 years at the time of the naturalization of their parents, shall, if dwelling in the United States, be considered as citizens thereof; and the children of persons who now are or have been citizens of the United States, shall, though born out of the limits and jurisdiction of the United States, be considered as citizens thereof; but no person heretofore proscribed by any State, or who has been legally convicted of having joined the army of Great Britain during the revolutionary war, shall be admitted to become a citizen without the consent of the legislature of the State in which such person was proscribed.

April 14, 1802, c. 28, s. 4, v. 2, p. 155.

Campbell v. Gordon, 6 Cr., 176. United States v. Hirshfield, 13. Blatch, 330.

Section 2173. The Police Court of the District of Columbia shall have no power to naturalize foreigners.

June 17, 1870, c. 133, s. 5, v. 16, p. 154.

Section 2174. Every seaman, being a foreigner, who declares his intention of becoming a citizen of the United States in any competent Court, and shall have served three years on board of a merchant-vessel of the United States, subsequent to the date of such declaration, may, on his application to any competent Court, and the production of his certificate of discharge and good conduct during that time, together with the certificate of his declaration of intention to become a citizen, be admitted a citizen of the United States; and every seaman, being a foreigner, shall, after his declaration of intention to become a citizen of the United States, and after he shall have served such three years, be deemed a citizen of the United States for the purpose of manning and serving on board any merchant-vessel of the United States, anything to the contrary in any Act of Congress notwithstanding; but such seaman shall, for all purposes of protection as an American citizen, be deemed such, after the filing of his declaration of intention to become such citizen.

June 7, 1872, c. 322, s. 29, v. 17, p. 268.

Inclosure 2 in No. 24.

Amendments to the Revised Statutes of the United States.

Subject: NATURALIZATION.

Act of February 1, 1876, 19 Statutes, p. 2; Section 6 of Act of February 8, 1887, 24 Statutes, p. 388; Act of August 9, 1888, 25 Statutes, p. 392.

Chapter 5.—*An Act to amend the Revised Statutes relating to Naturalization.**

[February 1, 1876, 19 Stat. L., 2.]

Be it enacted, &c., that the declaration of intention to become a citizen of the United States, required by Section 2165 of the Revised Statutes of the United States, may be made by an alien before the Clerk of any of the Courts named in said Section 2165, and all such declarations heretofore made before any such Clerk are hereby declared as legal and valid as if made before one of the Courts named in said Section. (February 1, 1876.)

31 Fed. Rep., 881.

Extract from Act of February 8, 1887, 24 Statutes, p. 388.

Section 6. That upon the completion of said allotments and the patenting of the lands to said allottees, each and every member of the respective bands or tribes of Indians to whom allotments have been made shall have the benefit of and be subject to

* This Act is in the second edition of Revised Statutes, Section 2165.

the laws, both civil and criminal, of the State or Territory in which they now reside, and no Territory shall pass or enforce any Law denying any such Indian within its jurisdiction the equal protection of the law.

And every Indian born within the territorial limits of the United States to whom allotments shall have been made under the provisions of this Act, or under any Law or Treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up, within said limits, his residence separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in any manner impairing or otherwise affecting the right of any such Indian to tribal or other property.

1875, March 3, ch. 131, sec. 15.

1888, August 9, ch. 818, sec. 2.

Chapter 818.—*An Act in relation to Marriage between White Men and Indian Women.*

[August 9, 1888, 25 Stat. L., 392.]

Be it enacted, &c., that no white man, not otherwise a member of any tribe of Indians, who may hereafter marry an Indian woman, member of any Indian tribe in the United States, or of any of its Territories except the five civilized tribes in the Indian Territory, shall by such marriage hereafter acquire any rights to any tribal property, privilege, or interest whatever to which any member of such tribe is entitled.

White men marrying Indian women not to acquire tribal rights

Section 2. That every Indian woman, member of any such tribe of Indians, who may hereafter be married to any citizen of the United States, is hereby declared to become by such marriage a citizen of the United States, with all the rights, privileges, and immunities of any such citizen, being a married woman:

Indian women marrying white men become citizens.

Provided, that nothing in this Act contained shall impair or in any way affect the right or title of such married woman to any tribal property or any interest therein.

Evidence of marriage of white men with Indian women.

1887, February 8, ch. 119, sec. 6.

Section 3. That whenever the marriage of any white man with any Indian woman, a member of any such tribe of Indians, is required or offered to be proved in any judicial proceeding, evidence of the admission of such fact by the party against whom the proceeding is had, or evidence of general repute, or of cohabitation as married persons, or any other circumstantial or presumptive evidence from which the fact may be inferred, shall be competent. (August 9, 1888.)

Inclosure 3 in No. 24.

Extract from Messrs. Gould and Tucker's Notes on the Revised Statutes of the United States.

TITLE XXX.—NATURALIZATION.

NATURALIZATION is a judicial Act, and is not provable by parol. The Court's jurisdiction is dependent upon Statute; its action must be recorded as its judgment, and this, when valid, is final; but the record need not disclose the facts upon which the proceeding was founded. *Charles Green's son*, 31 F. R. 106; *United States v. Walsh*, 22 Id. 644; *Stark v. Chesapeake Ins. Co.*, 7 Cranch, 420; *Spratt v. Spratt*, 4 Pet. 393. Hence it is not necessary that it should appear in the certificate granted by the Court that the person naturalized "had behaved as a man of good moral character," &c., as the granting of a certificate by a competent Court raises the presumption that the Court was satisfied as to the moral character of the alien. *Campbell v. Gordon*, 6 Cranch, 176. When a naturalized citizen is made a citizen under an Act of Congress, and the Act does not prescribe or regulate his capacities, he becomes distinguishable in nothing from a native citizen, except so far as the Constitution makes the distinction. The law makes none. *Osborn v. United States' Bank*, 9 Wheat. 738, 827. The Naturalization Laws apply only to foreigners, subjects of another allegiance. They do not include Indians. 7 A. G. Op. 746. The power of naturalization is exclusively in Congress, but the Treaty

of Amity and Commerce between the United States and France of 1778, Article XI, enabled the subjects of France to purchase and hold lands in the United States. *Chirac v. Chirac*, 2 Wheat., 259. If records of naturalization are destroyed, secondary evidence of their contents may be received. *Kreitz v. Behrensmeyer*, 125, 111, 141.

Section 2165. See note, Section 1992. St. Feb. 1, 1876, ch. 5 (19 St. 2), provides—

“That the declaration of intention to become a citizen of the United States required by Rev. Stats., Section 2165, may be made by an alien before the Clerk of any of the Courts named in said Section 2165; and all such declarations heretofore made before any such Clerk are hereby declared as legal and valid as if made before one of the Courts named in said Section.”

The declaration of intention to become naturalized cannot now be taken by a Clerk of the Circuit Court carrying the records to the party's domicile and there taking the declaration. *Re Langtry*, 12 Sawyer, 467; 31 F. R. 879.

Clause 1. The Probate Court of Shelby County, Tenn., has no common law jurisdiction, and cannot take this declaration. *Ex parte Tweedy*, 22 F. R. 85. City, Police, and County Courts in various States, when Courts of Record, having a Clerk, have been held entitled to take it. *United States v. Power*, 14 Blatch. 223; *Ex parte Gladhill*, 8 met. 168; *Ex parte Cregg*, 2 Curtis, 98; *State v. Whitmore*, 50 N.H., 245; *Re Connor*, 39 Cal. 91; *Levy's Case*, 14 A. G. Op. 509; *State v. Webster*, 7 Neb. 469; *Morgan v. Dudley*, 18 B. Mon. 693; *People v. McGowan*, 77, 111, 649. State Courts, in admitting aliens, act as United States' Courts. *Re Christern*, 43 N.Y. Sup. Ct. 523.

Clause 3. The last clause of this provision amounts to a prohibition against taking the applicant's oath; such oath, if admitted, is extra-judicial, and perjury cannot be assigned thereon. *United States v. Grottkau*, 30 F. R. 672. An alien, convicted of perjury while residing here, though pardoned, is not of a “good moral character.” *Re Spence*, 6 Sawyer, 195. The oath, when lawfully taken, confers the right of a citizen. *Campbell v. Gordon*, 6 Cranch, 176; *Stark v. Chesapeake Ins. Co.*, 7 Id. 420. But in the absence of evidence of naturalization by Court records, parol evidence is inadmissible to prove the fact, and the Court cannot make its order retroactive, *Dryden v. Swinburne*, 20 W. Va. 89; *Re Desty*, 8 Abb. N. C. (N.Y.) 250; *People v. McNally*, 59 How. Pr. (N.Y.) 500; the *Acorn*, 2 Abb. U.S. 134; *Re Colman*, 15 Blatch. 406; *Greene v. Salas*, 31 F.R. 106.

Section 2166. This has been held to include the navy as well as the army. *Re Stewart*, 7 Rob. (N.Y.) 635. But see *Re Bailey*, 2 Sawyer, 200, where it was held not to apply to marines. *Re Bye*, 2 Daly (N.Y.), 525.

Section 2167. The declaration of intention must be under oath. *United States v. Walsh*, 22 F.R. 644.

“Required therein at the time of his admission.” This refers to the declaration required by the second condition of Section 2165. *State v. McDonald*, 24 Minn., 48; *United States v. Walsh*, 22 F.R. 644.

It is not necessary that two of the five years' residence here required in the case of a minor alien should occur after the applicant has attained his majority. *Schultz's Petition* (N.H.), 10 East. Rep. 672, and 8 At l. Rep. 827; *Ex parte Merry*, 14 Phila. 212; *Ex parte Randall*, Id. 244. If an alien is admitted to citizenship by a Court of competent jurisdiction, such act has the force and effect of a Judgment, and the Government is not authorized to evade it or treat it as a nullity. 14 A.G. Op. 509.

Section 2168. See note, Section 1994.

Section 2169. Amended by 18 St. 318, by adding, after “aliens,” being free white persons, and to aliens.” “White persons” here does not include persons of the Mongolian race (*Re Ah Yup*, 5 Sawyer, 155); or those of half white and half Indian blood. *Re Camille*, 6 Sawyer, 541; 6 F.R. 256; 2 Kent Com. 72; *Lynch v. Clarke*, 1 Sand. Ch. 583; 9. A.G. Op. 373; 7 Id. 746; *Elk v. Wilkins*, 112 U.S. 94.

Section 2170. *Spratt v. Spratt*, 4 Pet. 393; *Ex parte Walton*, 1 Cranch C. C. 186; *Ex parte Sanderson*, Id. 219; *Ex parte Pasqualt*, Id. 243; *Anon.*, Pet. C. C. 457.

Section 2171. *The Frances*, 8 Cranch, 335; *Ex parte Newman*, 2 Gall. 11.

Section 2172. This provision is prospective, and embraces the children of those thereafter naturalized as well as those already duly naturalized under any United States' Law; and the infant children of aliens born out of the country if dwelling here when their parents are naturalized, become citizens by such naturalization. *State v. Penney*, 10 Ark. 621; *O'Connor v. State*, 9 Fla. 215; *West v. West*, 8 Paige, 433; *United States v. Kellar*, 13 F. R. 82; *State v. Andriano*, 92 Mo. 70; see note, Section 1993; *People v. Newell*, 1 How. Pr. n.s. 8;

Campbell v. Gordon, 6 Cranch, 176; *United States v. Hirshfield*, 13 Blatch. 330; 15 A. G. Op. 114. Children of United States' citizens, who are born abroad, are United States' citizens. *Wolf v. Archibald*, 14 F. R. 369; 15 A. G. Op. 114; 10 Id. 328; *People v. Newell*, 38 Hun. 78. Children born in foreign countries of parents who were then aliens, but who subsequently emigrated to this country, and became naturalized during the time such children were minors, are citizens of this country, 10 A. G. Op. 329. But a child born out of the country after his father has renounced his allegiance to the United States, is not a citizen or entitled to registration as a voter, *Browne v. Dexter*, 66 Cal. 39; *Re Look Tin Sing*, 10 Sawyer, 353.

Section 2174. This does not extend to the naval service, *Re Gormly*, 14 Phila. 211.

St. June 9, 1874, ch. 260 (18 St., 64) provides that none of the provisions of the cited Act of 1872 "shall apply to sail or steam vessels engaged in the coastwise trade, except the coastwise trade between the Atlantic and Pacific Coasts, or in the lake-going trade touching at foreign ports or otherwise, or in the trade between the United States and the British North American possessions, or in any case where the seamen are by custom or agreement entitled to participate in the profits or result of a cruize, or voyage."

ARGENTINE REPUBLIC.

No. 25.

Mr. Welby to the Earl of Rosebery.—(Received January 12, 1893.)

My Lord,

Buenos Ayres, December 20, 1892.

IN accordance with the instructions contained in your Lordship's Circular despatch of the 13th October last, I have the honour to inclose herein copies and translations of the Laws in force in the Argentine Republic relating to nationality and naturalization, together with the summary of a Report which has been drawn up for me by a distinguished Argentine jurist, Dr. Hugo Bunge, explaining the effect of these Laws, and also the decisions which have been given with respect to them in the Argentine Law Courts.

I have applied to Dr. Stewart, British Consul at Asuncion, for copies of the Paraguayan Laws on this subject, and I shall hope very shortly to be able to forward them to your Lordship.

I have, &c.
(Signed) GEORGE E. WELBY.

Inclosure 1 in No. 25.

Summary of Dr. Bunge's Report on the Argentine Laws respecting Nationality and Naturalization.

CAN children of British subjects "opt" for British nationality according to Argentine law?—No.

The Argentine Republic regards birth as the origin of nationality, applying the *jus soli*. This doctrine, which has prevailed since the earliest days after the emancipation, was clearly laid down in the Law of October 1869, which decrees in Article 1 that "those born, or who may be born, in Argentine territory are Argentine citizens."

Article 2 prescribes the conditions subject to which foreigners can be naturalized.

As the Republic claims the right of giving certificates of naturalization to foreigners, it cannot deny a similar right to other States, and this is recognized in Articles 3 and 4, which bear on the privileges of children of Argentine parents naturalized abroad.

Position of an Argentine Citizen naturalized abroad.

An Argentine citizen naturalized in a foreign country is beyond the reach of Argentine law as long as he continues to reside there. He will not suffer in his civil rights, as the rights of citizens and of foreigners are equal; nor will his children suffer should they return to the Republic, as they can "opt" for Argentine nationality by simply enrolling themselves in the National Guard.

If an Argentine citizen naturalized abroad returns to the Republic, he loses his political rights, in accordance with Article 8 of the Law of 1869, but cannot evade his obligations as a citizen, since Argentine nationality cannot be lost, although political rights resulting therefrom may be so.

Case of Rowe.

This is considered to have been settled in the case of an American citizen named Rowe, arrested in 1881 in Buenos Ayres for refusing to enrol himself in the National Guard; the United States' Minister procured his release, but admitted that he must plead his case before the Divisional Court, thus admitting Argentine jurisdiction.

The Procurator-General of the Republic has stated in a Report dated the 21st February, 1888, that questions which may arise with regard to naturalization, can only be settled by diplomacy.

Consequently, the only solution of such questions lies in the conclusion of Treaties, in the absence of which the Argentine Government holds to the precedent established in the case of Rowe.

Thus, in the Extradition Treaties contracted with Brazil, Portugal, and Paraguay, it was provided that citizens naturalized in accordance with the laws of the country in which they held a certificate of nationality, should not be subject to extradition.

In the Treaty concluded with Norway and Sweden, which is now awaiting the approval of Congress, both the Contracting Parties recognize and accept their respective legislation as regards the acquisition of nationality. "Nevertheless, if an Argentine citizen naturalized in Sweden or Norway, or a Swedish or Norwegian subject naturalized in Argentina, should again reside in his original country, with the intention of remaining there for good, he will be considered as having, *ipso facto*, renounced the nationality acquired by him in a foreign country. A residence of over two years in his original country shall be considered as proving his *animus manendi*."

In the Treaty of Commerce proposed by Holland, it is laid down in Article II—

(a.) That the child of a Dutch subject born in Argentine territory shall be considered Argentine as regards Argentine law, and that in Holland he shall be considered Dutch as regards Dutch law.

(b.) That in the case of Argentines legally naturalized in Holland, and of Dutch subjects legally naturalized in Argentina, the newly-acquired nationality shall be respected when they are accidentally residing in their original country.

From the above it appears that only in virtue of the conclusion of a Treaty can an Argentine, born of British parents, and naturalized as a British subject, free himself from the obligations imposed upon him by the Republic in case of his return thither.

An Argentine subject, born of British parents, can naturalize himself as a British subject when in the United Kingdom, but if residing in the Argentine Republic he cannot "opt" for British nationality.

This principle has been established by analogy in the case of the son of an Argentine citizen, born in Spain, who asked for an Argentine passport.

The Argentine Minister did not recognize his nationality, and the Government approved the Minister's action, since, if it were admitted that the son of an Argentine born in Spain could "opt" for Argentine nationality, the converse would also have to be admitted, which would lead, as pointed out by the Procurator-General in his Report of the 21st February, 1888, to the country being in the anomalous position of having many inhabitants, but few citizens.

Inclosure 2 in No. 25.

Summary of Decisions bearing upon the Interpretation of the Argentine Law of Nationality and Naturalization.

Case XCIX.—*Don José Ramon del Valle v. the Procurator Fiscal, concerning the granting of a Certificate of Nationality.*

DON JOSÉ RAMON DEL VALLE, a Venezuelan citizen, Chancelier of the Argentine Consulate in France, asked, through the Consul-General, that a certificate of Argentine nationality should be granted to him.

The case was heard in the Argentine Courts, and it was decided by the Supreme Court that for a foreigner to obtain Argentine nationality it was necessary for him to reside in the Republic two consecutive years, which period might be reduced on his proving services to the Republic.

The petitioner not having resided in the Republic, his request was refused.

Case CXXIV.—*Don Jacinto Febres de Rovira v. the Municipality of Buenos Ayres.*

In this case it was decided by the Supreme Court (1) that Argentine nationality was not imposed on the plaintiff by the fact of his having served the nation as Colonel of Engineers; (2) that Argentine citizenship is not imposed on a foreigner by any act of his

whatsoever, and that it must be asked and granted as a favour under the conditions prescribed by law.

H. Hutz v. Fiscal.

In this case (October 1879) Hugo Hutz, a German residing in Antwerp, authorized a certain R. Lawson to state before the Divisional Court that Hutz had resided over twelve years in the Republic, and, further, had held the post of Argentine Consul-General in Antwerp. The Procurator Fiscal opposed the claim for a certificate brought forward by Hutz. The case was decided that the Constitution and the Law concerning naturalization required that the applicant for naturalization should be actually residing in the Republic at the time of his application.

N. Acuña v. F. Daevel.

Señor N. Acuña, an Argentine citizen, brought an action against Señor F. Daevel, a German subject.

Owing to the different nationalities of the parties, the case came within the jurisdiction of the Federal Court.

Before the case came on for judgment, Daevel obtained a certificate of naturalization, and put in a plea denying the jurisdiction of the Court, which plea the Judge admitted in his decision of the 8th June, 1887.

Decision of the Supreme Court of September 27, 1888.

In the case of a request for "natural affiliation" presented by a mother, her nationality, and not that of her children, must be considered in deciding as to the competency of the Federal Courts.

Lemos v. Calle.

In this case, on the defendant denying the competency of the Federal Court, alleging that both parties were Argentines, it was decided—

1. That he, being born abroad, of Argentine parents, could, if he liked, revert to Argentine nationality.

2. That, having enrolled himself in the National Guard, and having previously registered himself at the Argentine Consulate, he had thereby proved his *animus revertendi*.

Supreme Court, September 20, 1866.

BRAZIL.

No. 26.

Mr. Greville to the Earl of Rosebery.—(Received March 2.)

My Lord,

Rio de Janeiro, February 6, 1893.

IN compliance with the instructions contained in your Lordship's Circular despatch of the 13th October last, I have the honour to transmit herewith copies, and translations by Mr. Algernon Petre, of the Laws and Decrees in force in Brazil relating to nationality and naturalization which I have received from the Minister for Foreign Affairs.

In forwarding these documents, Dr. Souza inclosed an explanatory statement furnished by the Minister of Justice and the Interior, a copy and translation of which I have likewise the honour to transmit.

From these documents your Lordship will observe that nationality and naturalization in Brazil are now regulated by paragraphs 4, 5, and 6 of Article 69 of the Constitution, which confirmed Article 1 of Decree No. 58 A of the 14th December, 1889, enacting that all foreigners residing in Brazil on the 15th November, 1889, became Brazilian subjects, unless they declared their intention to retain their nationality. The period within which such declaration could be made was subsequently extended until the 24th August, 1891.

The provisions of Article 2 of the above-mentioned Decree No. 58 A, according to which foreigners residing in Brazil for two years after the date of that Decree became Brazilian subjects, unless they declared their wish to the contrary, are not embodied in that part of the Constitution dealing with nationality, and it appears to be a moot point whether that Article 2 be in force or not. In the Report of the Minister of the Interior presented in May 1891, and again in that presented last April, this question is raised, and in the latter Report the Minister suggests that it should be decided by Congress.

So far from any obstacle being placed in the way of foreigners becoming naturalized, there would appear to be a tendency to force Brazilian nationality upon them, such intention being, however, expressly disclaimed by the Government.

The naturalization of persons to whom the above-mentioned enactments do not apply is regulated by Decree No. 13 A of the 26th November, 1889, which authorizes the Minister of Justice and the Interior to grant naturalization papers to any foreigner who may ask for them, gratis, and exclusive of the formalities required by previous legislation.

Article 34, No. 2, of the Constitution empowers Congress to pass "uniform laws concerning naturalization," and it is to be hoped that this may eventually lead to a settlement of the present somewhat complex state of the matter.

I have, &c.

(Signed) GEORGE GREVILLE.

Inclosure 1 in No. 26.

Senhor Souza to Mr. Greville.

*Ministry for Foreign Affairs, Rio de Janeiro,
January 19, 1893.*

(Translation.)

IN compliance with the request which Mr. George Greville, &c., was pleased to make in his note of the 14th November last, I have the honour to transmit copies of the Laws and Decrees in force in the Republic of the United States of Brazil respecting nationality and naturalization, as also copies of the Regulations and decisions concerning their interpretation which have not been revoked.

In order to render the matter more intelligible to Her Majesty's Chargé d'Affaires,

I likewise inclose copy of a letter on the same subject addressed to me on the 14th instant by the Ministry of Justice and the Interior.

I have, &c.
(Signed) A. F. PAULA SOUZA.

Inclosure 2 in No. 26.

Senhor Lobo to Senhor Souza.

(Translation.)
Sir,

*Ministry of Justice and of the Interior, Rio de Janeiro,
January 14, 1893.*

IN reply to letter No. 6066 of the 18th November last, I beg to transmit herewith copies of the Laws and Decrees in force in the Republic concerning nationality and naturalization, as also copies of the Regulations and decisions which affect their interpretation, and which have not been revoked. These copies are placed in chronological order, and comprise the following Acts:—

- I. Acts previous to the 15th November, 1889:
 - Notice No. 291 of 10th October, 1832;
 - Decree No. 808 A of 23rd June, 1855;
 - Decree No. 1096 of 10th September, 1860;
 - Decree No. 1950 of 12th July, 1871;
 - Law No. 3140 of 30th October, 1882.
- II. Acts passed under Provisional Government:
 - Decree No. 13 A of 26th November, and No. 58 A of 14th December, 1889;
 - Notice of 14th March, 1890;
 - Decrees Nos. 396 of 15th May and No. 479 of 13th June, 1890;
 - Notice of 16th August, 1890;
 - Decree No. 847 (Penal Code) of 11th October, 1890.
- III. Law of 24th February, 1891 (Constitution of the Republic).
- IV. Acts published during the Constitutional Government:
 - Law No. 35 of 26th January, 1892;
 - Notices of 24th March and 26th September, 1892.

These copies are accompanied by a Table showing the provisions of the State Constitutions which restrict certain political rights of persons naturalized.

In view of the number of the above-mentioned texts, and in order to render those which are in force more intelligible, I think there can be no objection in communicating the following to the British Legation:—

(a.) Nationality in the Republic is regulated by Article 69 of the Federal Constitution, paragraphs 1, 2, and 3 of which refer to natural-born Brazilians, paragraphs 4 and 5 to those who are naturalized tacitly by the operation of the law, and paragraph 6 to those who are naturalized by an express act.

(b.) The provision of the above-cited paragraph 4, which conferred Brazilian nationality on all foreigners residing in Brazil on the 15th November, 1889, who did not declare within six months after the Constitution came into force their wish to retain their original nationality, is a repetition of what was laid down by Article 1 of Decree No. 58 A of the Provisional Government of December 1889, which allowed a period of six months, counting from the said date, within which such declarations were to be made.

This Decree (Article 4) enacted that these declarations were to be made before the Secretaries of the Municipalities. The Provisional Government, however, recognizing the necessity of facilitating the expression of this wish, thus avoiding undesigned restraint, not only issued Decree No. 396 of the 15th May, 1890, extending the power of receiving these declarations to the Secretaries of the Police Districts, and to Diplomatic and Consular Agents, but also promulgated Decree No. 479 of the 13th June, 1890, prolonging the said period until the 31st December of the said year, which period was further prolonged until the 24th August, 1891, by Article 69, paragraph 4, of the Constitution.

(c.) Persons naturalized by any of these means enjoy all political rights, and may fulfil any public duties except those of President and Vice-President of the Republic, the sole requirement being that naturalized Brazilians, in order to be eligible for Congress, must have been naturalized for over four years for the Chamber of Deputies,

and over six for the Senate, in accordance with the provisions of Article 3 of Decree No. 58 A, Articles 26, para. 2, 41, para. 3, No. 1, and 70 and 72 of the Constitution, and of Article 1, para. 1, and 29 of Law No. 35 of the 26th January, 1892.

The Constitutions of the States of Amazonas, Pará, Maranhão, Piauí, Ceará, Rio Grande do Norte, Paraíba, Pernambuco, Alagoas, Sergipe, Bahia, Rio de Janeiro, Santa Catharina, Rio Grande do Sul, and Minas Geraes apply that restriction to the offices of the respective Governors, or Presidents, and nearly all restrict the rights of naturalized persons as regards election to be Senators and Deputies, fixing a period of Brazilian citizenship as shown by the annexed Table.

(d.) The Legislature not having yet voted the Law regulating naturalization uniformly in the entire Republic, as required by Article 34, No. 24, of the Constitution, which enacted that such Laws of the former system of government which had not been revoked should remain in force unless they were explicitly, or implicitly, opposed to the system of government settled by the said Constitution, or to the principles thereof, the respective procedure is governed by the rule laid down in Decree No. 13 A of the Provisional Government of the 26th November, 1889, which Decree authorizes the Minister of the Interior, now of Justice and Internal Affairs, to grant naturalization papers to any foreigner who may ask for them, independently of the formalities required by Decrees Nos. 808 of the 23rd June, 1855, and 1950 of the 12th June, 1871, such naturalization being exempt from any tax, according to Article 14 of Law No. 3140 of the 30th October, 1882.

Dispensation from these formalities does not do away with the requirement of proof of nationality and of residence in Brazil, or of the petitioner being abroad in the service of that country, as is laid down by Article 1 of Decree No. 1950 of the 12th July, 1871, such requirements involving substantial evidence of naturalization.

(e.) Since they have not been expressly revoked, the rules laid down by Decree No. 1096 of the 10th September, 1860, are to be deemed as being in force. This Decree regulates the civil and political rights of the children of foreigners born in Brazil whose parents are not in the service of their country, as also those of foreign women who have married Brazilians, and of Brazilian women who have married foreigners.

(f.) Suspension and loss of rights acquired under the above-cited Laws are regulated by the provisions of Articles 71 and 72, para. 29, of the Constitution; of Articles 103 and 107 of the Criminal Code; and of Article 1, para. 2, Nos. 1 and 2, of Law No. 35 of the 26th January, 1892.

Finally, the decisions affecting the interpretation of the new Laws on this subject are few in number.

Among the inclosed copies you will find Minute No. 291 of the 10th October, 1832, which laid down that no one was free to renounce Brazilian nationality outside of the cases mentioned in the said Law.

The doctrine contained in this Minute, appertaining as it does to provisions of the Constitution of the former Empire which were embodied in the Constitution of the 24th February, 1891, continues to take full effect.

I further deem it expedient to include the decisions come to in regard to the Minute of the 14th March, 1890, which ordered all naturalized Brazilians to be registered as electors who, though ignorant of the vernacular, were able to read and write in their native tongue; those arising from the Ministerial Order ("despacho") of the 24th March, 1892, which declared that all persons who accepted Orders or titles of nobility from the Pope forfeited their political and civil rights; and of the Minute of the 26th October of the same year, recognizing the Brazilian nationality of Charles Liedermann, born of German parents while travelling from Porto Alegre to Jaguarão, in the State of Rio Grande do Sul, at a time when the Constitution (Article 6) of the former Empire was in force.

Having, as I think, satisfied the request contained in your letter No. 6066, it remains to be stated that in the Reports from the Ministry of the Interior presented to the President and Vice-President of the Republic in May 1891 and April 1892 you will find in the first-mentioned Report, under the head of "Naturalization," p. 16, and in the second, under "Federal Administration," p. 17, the complementary materials of this summary.

I have, &c.
(Signed) FERNANDO LOBO.

Inclosure 3 in No. 26.

*Translations of Laws and Decrees in force in Brazil re Nationality and Naturalization.*No. 291.—*Empire.*—October 10, 1832.

Declares that no one is at liberty to renounce the nationality of a Brazilian citizen except in the cases indicated in the Constitution.

The Regency, in the name of the Emperor, acquaints you, in reply to your despatch of the 8th August last, that no one is at liberty to renounce the nationality of a Brazilian citizen, which comprises not only rights but also duties which society has a legal right ("jus") to demand, since Article 6 of the Constitution indicates how the rights of citizenship are acquired, and Article 7 how they are lost, by which all other means of acquiring or losing them are excluded. This must guide you in the case referred to in your above-mentioned despatch, and in other cases of the same kind which may arise.

God preserve you, &c.

(Signed)

NICOLAO PEREIRA DE CAMPOS
VERGUEIRO.*Palace of Rio de Janeiro, October 10, 1832.*

To Senhor Angelo José da Expectação Mendonça.

Decree No. 808 A of June 23, 1855.

Contains various provisions concerning the naturalization of foreigners now established as colonists at different places in the Empire who have not yet been recognized as Brazilians.

I sanction and order the enforcement of the following Resolution of the General Legislative Assembly:—

Article 1. Foreigners who are now settled as colonists in different parts of the Empire, and who have not yet been recognized as Brazilians, will be so recognized on their signing before the proper Municipality or Justice of the Peace a declaration to the effect that they wish to become Brazilians, and that their domicile is fixed within the Empire.

They shall likewise state their former nationality, their religion, occupation, and the number of their children.

Article 2. The authorities who receive the above-mentioned declaration shall furnish an official copy of the same to the party concerned, in view of which the Governors of the provinces shall, gratuitously, grant proper naturalization papers, an oath of fidelity to the Constitution and to the other Laws of the Empire having first been taken. Article 17 of Law No. 601 of the 18th September, 1850, and Article 3 of Decree No. 712 of the 16th September, 1853, shall determine the question of the nationality of colonists coming to the Empire after the date of the present Resolution. The Government are, nevertheless, empowered to grant naturalization papers before the expiration of the period indicated by the said Law to such colonists as they may deem worthy thereof.

Article 4. Parents, tutors, or guardians of colonists under age who were born outside of the Empire before the naturalization of their parents may, on behalf of such minors, make the declaration mentioned in Article 1, and receive the naturalization papers, the right being reserved to the said minors to change their nationality on coming of age.

Article 5. The provision of this Law, which applies to colonists only, does not set aside the other provisions of the Law of the 23rd October, 1832.

Article 6. Contrary provisions are revoked.

Luiz Pedreira do Contto Ferroz, of my Council, Minister of State for the affairs of the Empire, to cause the same to be thus carried out.

[With the signature of His Majesty the Emperor.]

(Signed) L. P. DO CONTTO FERROZ.

*Palace of Rio de Janeiro, June 16, 1855,**34th of the Independence and of the Empire.*

Decree No. 1096 of September 10, 1860.

Regulates the civil and political rights of foreigners born in Brazil whose fathers are not employed in the service of their country, of foreign women who have married Brazilians, and of Brazilian women who have married foreigners.

I sanction and order the enforcement of the following Resolution of the General Legislative Assembly:—

Article 1. The Law which regulates the civil status of foreigners who reside in Brazil otherwise than in the service of their country may also be applied to the civil status of their children born in the Empire, but only during their minority, and without prejudice to the nationality recognized by Article 6 of the Constitution. As soon as these children attain their majority they will enjoy the rights of Brazilian citizenship, being subject to their respective obligations in accordance with the Constitution and Laws.

Art. 2. A foreign woman who marries a Brazilian takes the nationality of her husband, and likewise a Brazilian woman who marries a foreigner assumes his nationality. Should the Brazilian woman become a widow she may recover her Brazilian nationality, provided she declare her intention to fix her domicile in the Empire.

Art. 3. Contrary provisions are revoked.

J. de Almeida Pereira Filho, of my Council, to cause the same to be enforced.

[With the Emperor's signature.]

(Signed) J. DE A. PEREIRA FILHO.

Palace of Rio de Janeiro, September 10, 1860.

Published in the Department of State of the Empire, 18th September, 1860.

Decree No. 1950 of July 12, 1871.

Authorizes the Government to grant naturalization papers to any foreigner applying for the same who has attained the age of 21 years, and has resided in Brazil, or abroad in the service of Brazil, for over two years.

The Princess Imperial Regent, in the name of the Emperor Dom Pedro II, sanctions and orders the enforcement of the following Resolution of the General Assembly:—

Article 1. The Government are authorized to grant naturalization papers to any foreigner applying for the same who has attained the age of 21 years, has resided in Brazil, or abroad in the service of Brazil, for more than two years, and makes a declaration to the effect that he intends to reside in, or continue in the service of, Brazil after naturalization.

Art. 2. The Government may dispense with the period of residence:

1. In the case of a foreigner married to a Brazilian.
2. In the case of a foreigner possessing real property in Brazil, or one who is partner in some industrial undertaking.
3. In the case of one who has invented or introduced some industrial material.
4. In the case of one who is distinguished by his talents or literary achievements, or by his skill in any branch of industry.
5. In the case of the son of a naturalized Brazilian born out of the Empire before the naturalization of his father.

Art. 3. For the purposes of this Law sufficient proof is furnished by certificates of birth and those supplied by Public Departments, as also by the attestations of any authorities and of respectable private individuals.

Art. 4. Naturalization papers shall be exempt from all taxation with the exception of a stamp to the value of 25 milreis.

Art. 5. The said naturalization papers cannot take effect until the persons to whom they are granted, either personally or through a representative furnished with special powers, swear, or promise, to obey and be faithful to the Constitution and Laws of the country, at the same time swearing, or promising, to acknowledge Brazil as their country from that day forward.

Art. 6. This oath may be taken before the Government, or the Presidents of the provinces.

The person naturalized shall at the same time state his religious principles, and what was his native country; whether he be married, or a bachelor; whether married to a Brazilian or to a foreigner; whether he have any children, and, if so, their number, their names, sex, age, religion, occupation, and nationality.

By means of these statements the proper State Department shall keep a register of all foreigners naturalized.

Art. 7. The naturalization of colonists continues to be governed by Decree No. 808 A of the 23rd June, 1855.

Art. 8. Contrary provisions are revoked.

J. A. de C. Oliveira, of the Council, to cause the same to be enforced.

[Signature of Princess Imperial Regent.]

(Signed) J. A. DE C. OLIVEIRA.

*Palace of Rio de Janeiro, July 12, 1871,
— year of the Independence and Empire.*

Law No. 3140 of October 30, 1882.

Estimates the general revenue of the Empire for the financial years 1882-83 and 1883-84, and adopts other measures.

Dom Pedro II, by the grace of God and the unanimous acclamation of the people, Constitutional Emperor of Brazil, &c.

We make known to all our subjects that the General Assembly decrees and we sanction the following Law:—

* * * * *

Article 14. Naturalization papers are henceforth exempt from all and every kind of taxation, and the Presidents of the provinces are also empowered to grant the said naturalization papers.

* * * * *

Given at our Palace at Rio de Janeiro on this 30th October, 1882, in the 61st year of the Independence and of the Empire.

[Emperor's signature and seal.]

(Signed) VISCONDE DE PARANAGUÁ.

Decree No. 13 A of November 26, 1889.

Regulates the concession of Naturalization.

The Provisional Government of the Republic of the United States of Brazil decrees:—

Article 1. The Minister and Secretary of State for Internal Affairs and the Governors of the different States are authorized to concede naturalization to any foreigner who may desire it, independently of the formalities required by the Decrees No. 808 A of the 27th June, 1855, and No. 1950 of the 12th July, 1871.

Art. 2. Naturalization shall be granted by an Order, and free of any tax whatsoever, in the form prescribed by Article 14 of the Law No. 3140 of the 30th October, 1882.

Art. 3. All dispositions to the contrary are hereby revoked.

The Minister and Secretary of State for Internal Affairs is to carry the above into execution.

Chamber of Sessions of the Provisional Government of the Republic of the United States of Brazil, the 26th November, 1889, 1st year of the Republic.

(Signed) MARSHAL MANOEL DEODORO DA FONSECA,
Chief of the Provisional Government.

(Signed) ARISTIDES DA SILVEIRA LOBO.

Decree No. 58 A of December 14, 1889.

Regulates the Naturalization of Foreigners residing in the Republic.

The Provisional Government of the United States of Brazil, constituted by the army and navy, in the name of the nation, considering that the memorable events of the 15th November, 1889, which marked the advent of the Brazilian Republic, confirmed the principles of equality and fraternity which unite the educated nations under the reign of liberty, and which increase the sum of the efforts necessary for the conquests of progress and for the civilization of mankind, resolves to decree:—

Article 1. All foreigners who were already resident in Brazil on the 15th November, 1889, shall be considered Brazilian citizens, except they make a declaration to the contrary before the municipal authorities of their place of residence within the term of six months from the publication of this Decree.

Art. 2. All foreigners who shall have resided in the country during two years from the date of the present Decree shall be considered Brazilians, with the exception of those who renounce this right by means of the declaration treated of in Article 1.

Art. 3. Foreigners naturalized in accordance with the provisions of this Decree shall enjoy all the civil and political rights of natural-born citizens, being eligible for all public employments, except the position of Chief of the State.

Art. 4. The declaration referred to in Articles 1 and 2 shall be made before the Secretary of the Municipality or of the Corporation, which provisionally takes its place in a book specially kept for the purpose, and shall be signed by the person making the declaration, and by the said Secretary or representative of the Corporation alluded to.

Art. 5. All dispositions to the contrary are revoked.

Chamber of Sessions of the Provisional Government of the Republic of the United States of Brazil, the 14th December, 1889, 1st year of the Republic.

(Signed) MARSHAL MANOEL DEODORO DA FONSECA,
Chief of the Provisional Government.

(Signed) ARISTIDES DA SILVEIRA LOBO.

Minister of the Interior to the Governor of the State of Santa Catharina.

*Ministry of the Interior, Rio de Janeiro,
March 14, 1890.*

Sir,

In your telegram of the 10th instant you inquired whether, in view of Article 1 of Decree No. 6 of the 19th November of last year, and of Article 4, No. 1, of the Regulations annexed to Decree No. 200 A of the 8th February last, it be indispensable, in order that a citizen may be registered as an elector, that he should know how to read and write Portuguese, or whether naturalized persons who can read and write a foreign language may be so registered.

The above-cited Laws only exclude from registration as electors illiterate persons. Foreigners who, though ignorant of Portuguese, are, nevertheless, able to read and write their native tongue, or any other, are not so excluded.

I have, &c.

(Signed) JOSÉ C. DE FARIA ALVIM.

Decree No. 396 of May 15, 1890.

Establishing measures for facilitating the execution of Article 1 of the Decree No. 58 A of December 14, 1889, relating to the naturalization of foreigners residing in the Republic.

Generalissimo Manoel Deodoro da Fonseca, Chief of the Provisional Government constituted by the army and navy in the name of the nation, having consulted the Minister and Secretary of State for Home Affairs; and

Considering that the purpose of Article 1 of Decree No. 58 A of the 14th December last, establishing that foreigners residing in Brazil on the 15th November last, date of
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the Proclamation of the Republic, would be considered Brazilian citizens, saving declaration to the contrary, was to afford to those who associated themselves with the change of opinions, or adhered voluntarily and spontaneously to the new political situation, the means of allying themselves to the Brazilian nation, without the necessity of an express act for such purpose, which would signify the renouncing of their original nationality; but in no manner whatever raising any kind of direct or indirect compulsion as regards those who declined to adopt Brazil for their country;

Considering that, for the declaration allowed to foreigners desirous of deliberating as regards their nationality, the before-mentioned Decree fixed the period, more than sufficient, of six months, reckoning from the date of its publication, which will expire on the 14th June next, and determined that such declaration could be made in all the municipal districts of the Republic before their respective Municipal Chambers;

Considering, nevertheless, that it is advisable to still further facilitate the aforesaid declaration, with a view to avoiding that foreigners, who up to the present have not made such, and are desirous of availing themselves of the last month of the period, be compelled in certain localities to make long journeys to appear before the Municipalities, or lose time in awaiting their turn on occasions of press of business;

Decrees:

Article 1. Foreigners resident in Brazil on the 15th November last, who do not desire to be considered Brazilian citizens, can make the declaration mentioned in Article 1 of the Decree No. 58 A of the 14th December, 1889, not only before the Secretary of the Municipal Chamber or Department, in accordance with Article 4 of the same Decree, but also before the Clerk of any Delegate or Sub-Delegate of Police, or, further, before any Diplomatic or Consular Agent of their nation.

Art. 2. For the declarations referred to in the preceding Article, in the office of every Clerk of Delegates or Sub-Delegates of Police, a special register, opened, numbered, rubricated, and closed by the Delegate or Sub-Delegate of Police, or their deputies in office, shall be kept.

Art. 3. Such registers shall be provided by the Municipal Chambers or Departments, the cost of same being defrayed by the States or Federal Government, when such Corporations are unable to incur same.

Art. 4. On the expiration of the term of six months fixed by Article 1 of said Decree, all registers containing the declarations made before the Clerks of the Delegates or Sub-Delegates of Police shall, by such authorities or their substitutes in office, be forwarded to the President of the Municipal Chamber or Department, in order that, on conferring them with the list of foreigners qualified to be electors, forwarded by the District Enrolling Commissions, the Municipal Chamber, in conformity with the second part of Article 1 of Decree No. 277 E of the 22nd March last, may exclude the names of those who, during the above-mentioned period, may have declared against adopting Brazilian nationality.

Only Paragraph.—For the same purpose representations made by Diplomatic or Consular Agents, on behalf of their countrymen, who before them have declared their desire to retain their nationality, shall be accepted.

Art. 5. All contrary dispositions are hereby revoked.

The Minister and Secretary of State for Home Affairs shall cause the execution hereof, issuing the necessary telegraphic communications to the Governors of all the States.

Chamber of Sessions of the Provisional Government of the Republic of the United States of Brazil, 15th May, 1890, 2nd year of the Republic.

(Signed) MANOEL DEODORO DA FONSECA.

(Signed) JOSÉ CESARIO DE FARIA ALVIM.

Extract from the "Diario Official" of May 17, 1890.

Rectification.

In Decree No. 396 of the 15th instant, published in yesterday's "Diario Official," the following passages require amendment:—

In the second "Considerando," instead of "desirous of deliberating as regards their nationality," should be read, "desirous of preserving their nationality."

In the third "Considerando" one should read, "to appear at the Municipal Chamber or Department," and not as published.

In Article 4, only paragraph, instead of "who have declared before them," "who shall declare before them," &c.

Decree No. 479 of June 13, 1890.

Extending the time allowed by Decree No. 58 A of the 14th December, 1889, for the declarations of those foreigners, resident in Brazil on the preceding 15th November, who may not wish to be considered Brazilian citizens.

Generalissimo Manoel Deodoro da Fonseca, Chief of the Provisional Government of the Republic of the United States of Brazil constituted by the army and navy in the name of the nation ;

Decrees :

That the period allowed by Article I of Decree No. 58 A of the 14th December, 1889, for making the declarations which, under Article 4 of the said Decree, and Article 1 of Decree No. 396 of the 15th May last, foreigners who were resident in Brazil on the preceding 15th November, and who may not desire to be considered Brazilian citizens, are required to make, is hereby extended to the 31st December of the present year.

Sessions Hall of the Provisional Government of the Republic of the United States of Brazil, the 13th June, 1890, 2nd year of the Republic.

(Signed) MANOEL DEODORO DA FONSECA.

(Signed) JOSÉ CESARIO DE FARIA ALVIM.

Minister of the Interior to Governors of States.

(Circular.)
Sir,

*Ministry of the Interior, Rio de Janeiro,
August 16, 1890.*

Doubts having arisen concerning the eligibility of foreigners who have become naturalized, the Government make known as follows :—

The restriction of Article 25 of the Constitution does not include foreigners naturalized by virtue of Article 1 of Decree No. 58 A of the 14th December, 1889, in regard to whom the advantages and rights conceded by Article 3 of the said Decree obtain.

The Constitutional precept governs naturalization cases which come under the general rule, and cannot, therefore, include the exceptional case provided for by Article 1 of the said Decree, for which the Law, departing from its ordinary stringency, does not require any definite period of residence, or any other condition.

It is, therefore, to be understood that foreigners who were residing in Brazil on the 15th November, 1889, and who have become naturalized through not having declared that they elected to retain their original nationality, shall enjoy all the civil and political rights of natural-born citizens, and may fill any public offices, except those of President and Vice-President.

You should, as soon as possible, give the fullest publicity to this announcement in all the districts of the State.

I have, &c.
(Signed) J. C. DE FARIA ALVIM.

*Penal Code of the United States of Brazil, promulgated by Decree No. 847 of the
11th October, 1890.*

BOOK II.—TITLE I.

Caput I.

Article 103. A Brazilian citizen recognizing a superior out of the country and according him effective obedience:

Punishment: imprisonment in a cell from four months to one year.

Sole §. Should this crime be committed by a Corporation, the same shall be dissolved; and should its members reassemble under the same or a different name, or under the same or another rule:

Punishment: The leaders to be imprisoned in a cell from one year to six years; and the other members from six months to one year.

Caput II.

Article 107. To endeavour directly and by acts to alter the political constitution of the Republic, or the established form of government:

Punishment: Leaders to be banished, and accomplices imprisoned from five to ten years.

*Law of February 24, 1891, promulgates and orders the Publication and Observance of
the Constitution.*

CONSTITUTION OF THE UNITED STATES OF BRAZIL.

TITLE I.

Section 1.—*The Legislative Power.*

Caput I.—*General Provisions.*

Article 26. The following are the qualifications for election to the National Congress:—

1. The possession of the rights of Brazilian citizenship and of registration as an elector.

2. For the Chamber of Deputies not less than four years of Brazilian citizenship, and for the Senate not less than six, are necessary.

This provision does not apply to the citizens mentioned in No. 4 of Article 69.

Section 2.—*Of the Executive Power.*

Caput I.—*Of the President and Vice-President.*

Article 41, § 3. The following are indispensable conditions for election to the Presidency or Vice-Presidency of the Republic:—

1. To be a native-born Brazilian.

TITLE IV.—*Of Brazilian Citizens.*

Section 1.—*Of the Qualifications of Brazilian Citizenship.*

Article 69. The following are Brazilian citizens:—

1. Persons born in Brazil, even of a foreign father, if the latter be not residing in Brazil in the service of his country.

2. Children of a Brazilian father, and illegitimate children of a Brazilian mother, born in a foreign country, if they have established their domicile in the Republic.

3. Children of a Brazilian father who is in the service of the Republic in a foreign country, even if they do not come and reside in the Republic.

4. Foreigners who, having been in Brazil on the 15th November, 1889, shall not have declared within six months after the Constitution comes into force their intention to retain their original nationality.

5. Foreigners who possess real property in Brazil and who have married Brazilian women, or have Brazilian children, so long as they reside in Brazil, unless they announce their intention of not changing their nationality.

6. Foreigners otherwise naturalized.

Article 70. Citizens of 21 years of age who are registered according to law are electors.

§ 1. The following cannot be registered as electors for the Federal or State elections:—

1. Mendicants.

2. Illiterate persons.

3. Soldiers and sailors, excepting pupils of military schools for higher military education.

4. Members of monastic orders, congregations, or communities, of whatsoever denomination, who are subject to a vow of obedience, rule, or statute which involves the renunciation of individual liberty.

§ 2. Citizens disqualified from registration are ineligible for election.

Article 71. The rights of Brazilian citizenship are suspended or lost only in the following cases:—

§ 1. They are suspended:

(a.) Through physical or moral incapacity.

(b.) Through a criminal sentence, as long as the effects thereof last.

§ 2. They are lost:

(a.) Through naturalization in a foreign country.

(b.) Through the acceptance of employment or a pension from a foreign Government without the consent of the Federal Executive Power.

§ 3. A Federal Law will determine the conditions on which the rights of Brazilian citizenship may be reacquired.

Section 2.—*Declaration of Rights.*

Art. 72. The Constitution insures to Brazilians and foreigners resident in the country the inviolability of their rights with regard to liberty, security of the person and of property, in the following terms:—

* * * * *

§ 28. No Brazilian citizen may, on account of his religious belief, or of a religious office, be deprived of his civil and political rights, or be exempted from the fulfilment of any civil duty.

§ 29. Those who may put forward the ground of religious belief with a view to obtain exemption from any burden which the Laws of the Republic impose on its citizens, and those who may accept any foreign Order or title of nobility, will lose all their political rights.

* * * * *

Sessions Hall of the National Constituent Congress in the city of Rio de Janeiro, the 4th February, 1891, 3rd year of the Republic.

Law No. 35 of January 26, 1892.

Regulates the Procedure for the Federal Elections.

I, the Vice-President of the Republic of the United States of Brazil, make known that the National Congress decrees and I sanction the following Law :—

TITLE I.

Caput I.—*Of Electors.*

Brazilian citizens who have attained the age of 21 years, and who are already qualified and registered according to a previous Law, or the present one, are electors.

§ 1. The following are Brazilian citizens :—

1. Persons born in Brazil, although of a foreign father, providing the latter do not reside there in the service of his country.

2. Children of a Brazilian father, and illegitimate children of a Brazilian mother, born abroad, if they establish their domicile in the Republic.

3. Children of a Brazilian father who is abroad in the service of the Republic, although they may not establish their domicile in Brazil.

4. Foreigners who were in Brazil on the 15th November, 1889, and did not declare their intention to retain their original nationality within six months from the date when the Constitution came into force.

5. Foreigners who own real property in Brazil and are married to a Brazilian woman, or have Brazilian children, provided they reside in Brazil, unless they declare their intention of not changing their nationality.

6. Foreigners otherwise naturalized.

§ 2. The rights of Brazilian citizens are suspended, or lost, only in the following cases :—

1. They are suspended :

(a.) Through physical or moral incapacity.

(b.) Through a criminal sentence, as long as the effects thereof last.

2. They are lost :

(a.) Through naturalization in a foreign country.

(b.) Through acceptance of employment, or a pension, from a foreign Government without the consent of the Federal Executive Power.

(c.) Through the declaration of any religious faith with the object of avoiding any duty placed on citizens by law.

(d.) Through acceptance of a foreign Order or title of nobility.

§ 3. The following cannot register as electors :—

1. Mendicants.

2. Illiterate persons.

3. Soldiers and sailors, excepting the pupils of military schools for higher military education.

4. Members of monastic orders, congregations, or communities who are subject to a vow of obedience, rule, or statute which involves the renunciation of individual liberty.

TITLE II.—*Of those who are eligible, and of the Elections.*Caput I.—*Of those who are eligible.*

Art. 29. The following are the qualifications for election to the National Congress :—

1. The possession of the rights of Brazilian citizenship and registration as an elector.

2. For the Chamber of Deputies not less than four years of Brazilian citizenship, and for the Senate not less than six, are necessary, and for the latter the candidate must have attained 35 years of age.

The above qualifications, excepting the one relative to age, do not apply to foreigners who were in Brazil on the 15th November, 1889, and who did not declare six months

after the promulgation of the Constitution their intention to retain their original nationality.

Art. 30. The following cannot be elected Senators, or Deputies, of the National Congress:—

1. Ministers of the President of the Republic, Directors of Departments, nor of the National Treasury.

2. Governors, Presidents, Vice-Governors, or Vice-Presidents of States.

3. Adjutants-General of the Army or Navy.

4. Commandants of military districts for their respective districts.

5. Persons intrusted with the command of land or sea forces, police, or militia are disqualified from election in the States where they hold those commands.

6. Police authorities, and officers belonging to the police and militia forces.

7. Members of the Federal Judiciary.

8. State Magistrates, unless they have relinquished their office, or been disposable, for more than a year previous to the election.

9. Federal or State officials who may be dismissed independently of any sentence are disqualified from election in the several States where they hold office.

Sole §. The above-mentioned disqualifications will take effect, with the exception of No. 8, during six months from the date when the said persons relinquished their offices.

Art. 31. In accordance with Article 24 of the Constitution, no citizen can be elected Deputy, or Senator, to the National Congress who is a Director of a Bank, Company, or undertaking which enjoys the privileges mentioned below at the hands of the Federal Government:—

1. Guarantee of interest, or other subvention.

2. The privilege to emit notes payable to bearer, on a gold basis or not.

3. Exemption from Federal duties or taxes, or a reduction thereof in laws, or contracts.

4. Zone or navigation privileges, contracts, or land concessions.

Sole §. A citizen who, having been elected a Deputy or Senator, accepts any of the foregoing privileges, must resign his seat, which is considered vacant.

Art. 32. The following are indispensable conditions for election to the Presidency or Vice-Presidency of the Republic:—

1. To be a natural-born Brazilian.

2. To be in the enjoyment of political rights.

3. To have attained the age of 35 years.

Art. 33. The following are ineligible for such offices:—

1. Relations in the first or second degree of the President or Vice-President in office, or of one who has relinquished such office six months previously.

2. Ministers of State, or those who have held that office six months previous to the election.

3. The Vice-President who is acting as President during the last year of the Presidential period or at the time of the election cannot be re-elected for the following period.

Sole §. By last year of the Presidential period is meant the year during which the vacancy occurred.

Federal Capital, January 26, 1892.

(Signed)

FLORIANO PEIROBO.
J. H. D. PEREIRA.

Minute.

José L. de Oliveira Machado having inquired whether, owing to the fact of his having a foreign title or Order, he loses his civil as well as his political rights, and further what his position may be as regards these rights if the distinction be granted by the Holy See:

Art. 72, § 29 of the Constitution does not leave room for the question raised by the petitioner. It is clear from the provision of this paragraph that a citizen accepting a foreign title of nobility, or an Order, only loses his political rights.

Modern Codes have suppressed the deprivation of civil rights, and the Fundamental Law of the country insures to Brazilians and foreigners therein resident inviolability of all rights concerning liberty and the safety of their persons and property.

As regards the latter point, it is obvious that Orders and titles of nobility granted by the Pope are on the same footing as those conferred by foreign Governments, and consequently come under the letter of the Constitution as regards the present purpose.

It matters little that the Constitution refers to grants of titles and Orders emanating from Monarchs, or that some Republican Constitutions allow a certain latitude to the Chief of the Executive Power, that the Pope has lost his temporal power and therewith his sovereignty, or, finally, that the mixed relations which formerly connected the Brazilian nation with the Holy See, by the operation of Article 5 of the Constitution of the former Empire, which maintained Catholicism as the religion of the State, should have ceased to exist, the nature of such distinctions remains the same.

The Brazilian Constitution does not live isolated, nor can it act against international customs rooted through historical precedents, in its abnormal situation in the West, the orthodox nations of which, despite the fall of the temporal power, continue to maintain diplomatic relations with the Holy See as between Sovereigns.

It being equally impossible to do away with this fact and with the traditional character of nobility attaching to the distinctions now treated of, which have the same feudal origin as those conferred by Monarchs, the public authorities are obliged to recognize all the historical value of these titles.

(Signed)

SERZEDELLO CORRÊA.

*Ministry of the Interior, Rio de Janeiro,
March 24, 1892.*

Minister of the Interior to Minister for Foreign Affairs.

*Ministry of the Interior, Rio de Janeiro,
September 26, 1892.*

Sir,

In reply to your letter No. 3079 of the 19th July last, inclosing a certificate of baptism, and a translation thereof, showing that Hugo Carl Liedermann, the legitimate son of Rudolf Franz Christian Liedermann and of Thereza Wilhelmine Ludovine Sathler, both from Stuttgart, and formerly resident at Porto Alegre, was born on the 9th August, 1867, while his parents were travelling to Jaguarão, I have to acquaint you that the said Hugo Carl Liedermann, being a natural-born Brazilian by the operation of the Laws which were in force at the time of his birth, this Ministry is not called upon to furnish a document recognizing his nationality, seeing that documents of this nature are only issued in cases of naturalization.

I have, &c.

(Signed)

FERNANDO LOBO.

TABLE showing the Articles of the Constitutions of the States which restrict the Political Rights of Persons Naturalized.

Name of State.	Qualifications for Election to be Deputy or Senator.	Qualifications for Election to be Governor.
Amazonas	A naturalized person may be elected Deputy or Senator after five years of Brazilian citizenship (Article 15, No. 2, of the Constitution of the 23rd July, 1892)	A natural-born Brazilian (Article 40, 2nd part).
Pará	Five years of Brazilian citizenship ..	Native of the State (Article 27, 3rd part No. 1).
Maranhão	Over six years of Brazilian citizenship (Article 19, No. 2, of the Constitution of the 28th July, 1892)	Native of the State (Article 43, No. 2).
Piauí	Over four years of Brazilian citizenship (Article 16 of the Constitution of 13th June, 1892)	Natural-born Brazilian (Article 26, section 3, No. 1).
Ceará	Six years of Brazilian citizenship (Article 11, No. 3, of the Constitution of 12th July, 1892).	Natural-born Brazilian (Article 46, 2nd part).
Rio Grande do Norte ..	Over three years of Brazilian citizenship (Article 16, No. 2, of the Constitution of 7th April, 1892)	Natural-born Brazilian (Article 38, section 4, No. 1).
Parahyba	Two years of Brazilian citizenship (Article 17, No. 1, of the Constitution of 30th July, 1892)	Native of the State (Article 28, No. 1).
Alagoas	No restriction	Native-born Brazilian (Article 52, section 1, of the Constitution of 11th June, 1891).
Sergipe	Four years of Brazilian citizenship (Article 77, No. 7, of the Constitution of 18th May, 1892)	Native of the State (Article 79, No. 1).
Bahia	Six years of Brazilian citizenship (Article 30, 3rd part, of the Constitution of 2nd July, 1891)	Natural-born Brazilian (Article 47, No. 1).
Espirito Santo .. ..	.. ..	Native of the State, or born in the Federal capital before the promulgation of the Federal Constitution (Article 16, No. 2, of the Constitution of State of 9th April, 1892).
Rio de Janeiro	(See note *)	
Santo Paulo	(See note †)	(See note †).
Paraná	(See note †)	Naturalized Brazilian, having resided ten years in Brazil, and being married to a Brazilian.
Santa Catharina	Three years of Brazilian citizenship (Article 12, No. 2, of the Constitution of 7th July, 1892).	(See note ‡).
Rio Grande do Sul	(See note †)	Native of the State (Article 12 of the Constitution of 14th July, 1891).
Matto Grosso	Over five years of Brazilian citizenship (Article 7, No. 3, of the Constitution of 15th August, 1891)	Naturalized Brazilian, having resided over ten years in the State (Article 18, No. 4).
Goyaz	(See note †)	(See note †).
Minas Geraes	Two years of Brazilian citizenship to be Deputy, and four years to be Senator (Articles 94, No. 3, and 96, No. 3, of the Constitution of 15th June, 1891)	Natural-born Brazilian (Article 98, No. 1).

* In the State of Rio de Janeiro only a person born in the State, or in the Federal capital before the promulgation of the Federal Constitution, can be elected a Deputy or Senator, according to Article 16, No. 2, of the Constitution of the State of the 9th April, 1892.

† These States have established no restrictions.

‡ In the State of Santa Catharina only natural-born Brazilians are eligible for election to be Governor, or foreigners, referred to in Nos. 4 and 6 of Article 69 of the Federal Constitution, who were in the said State on the 15th November, 1889, are married to Brazilians, or have Brazilian children, and have resided at least fifteen years in the State (Article 43, sole section, of the State Constitution of the 7th July, 1892).

CENTRAL AMERICA.

No. 27.

Mr. Gosling to the Earl of Rosebery.—(Received May 3.)

My Lord,

Guatemala, April 1, 1893.

WITH reference to your Lordship's Circular despatch of the 13th October, 1892, I have the honour to transmit copies and translations of the Laws in force in the Central American Republics relating to nationality and naturalization.

I have, &c.

(Signed) AUDLEY GOSLING.

Inclosure 1 in No. 27.

GUATEMALA.

(Translation.)

Constitutional Law of Guatemala.—Cap. I.

ARTICLE 4. Guatemalans are divided into two classes, native and naturalized.

Article 5. Natives are:—

1. All persons born in territory of the Republic, whatever may be the nationality of the father, with the exception of the children of Diplomatic Agents.

2. The children of a Guatemalan father, or the illegitimate children of a Guatemalan mother born in a foreign country, from the moment when they shall reside in the Republic; and even without this condition when, according to the laws of their birth-place, the nationality of Guatemala shall belong to them, or when they shall have the right to elect or choose that of Guatemala.

Article 6. Those persons are also considered as Guatemalan subjects who are natives of the other Republics of Central America, from the fact of their being on Guatemalan territory, unless they manifest their intention of retaining their nationality before the authorities.

Article 7. Naturalized Guatemalans are:—

1. Spanish-Americans residing in the Republic, if they do not retain their own nationality.

2. All other foreigners who have been naturalized according to the above laws.

3. Those who obtain papers of nationality according to the law.

Article 10. In those cases in which the law shall insist upon the condition of citizenship for the exercise of some public duty, the same may be intrusted to foreigners who possess the other conditions that the law requires. They thus become naturalized citizens by the act of their acceptance.

Civil Code.—Cap. III.

Article 50. A Guatemalan woman married to a foreigner, or a foreign woman married to a Guatemalan, adopts the nationality of her husband. Upon the death of the husband the first recovers, and the second preserves, her Guatemalan nationality, provided they reside in the Republic.

Article 45. The law recognizes no difference between Guatemalans and foreigners with regard to the acquirement and enjoyment of the civil rights which this Code determines.

Article 53. The change of nationality has no retrospective effect.

Código Civil.—Título XIII.

Article 470. If the marriage of a Guatemalan woman with a foreigner be annulled, she can recover her nationality by making a declaration before the Keeper of the Civil Register, who will therein make the proper entry.

It also follows from Article 10 of the Constitutional Law, quoted above, that any foreigner entering the public service thereupon becomes a Guatemalan subject. A law relating to the rights and position of foreigners is about to be introduced.

Inclosure 2 in No. 27.

SALVADOR.

(Translation.)

The Law applicable to Aliens.

WHEREAS it is most important for the preservation of proper international relations to give due and prompt attention to the injunction of Article 50 of the Constitution, the National Constituent Congress of the Republic of Salvador enacts the following Law for Aliens:—

*The Law for Aliens.*Chapter I.—*Who are Salvadoranians and who are Aliens.*

Article 1. Salvadoranians by birth or by naturalization are designated in Articles 42, 43, and 44 of the Constitution.

Art. 2. Aliens are:—

1. Those born outside of the national territory, and the subjects of foreign Powers, who have not been naturalized in Salvador.

2. Children of an alien father, or mother of foreign nationality and unrecognized father, born in the territory of the Republic, when reaching age as determined by the law of their parents' country; but they shall be considered as Salvadoranians one year after they have attained their majority, without they declare previous to this, before the Governor of the Department in which they reside, that they choose to follow the nationality of their parents.

3. Salvadoranian women contracting marriage with aliens will retain their husband's nationality in widowhood. The marriage contract once dissolved, the native woman of Salvador can recover her nationality provided she shall choose to reside in the Republic, and, moreover, shall declare before the competent authority that it is her purpose to recover said nationality.

The Salvadoranian woman who through marriage does not acquire her husband's nationality, in accordance with the laws of his country, will retain her own nationality.

The change of the husband's nationality after marriage implies the same change for the woman and for the minor children, provided they live in the country where the father or husband was naturalized, excluding the exception introduced in the previous preamble.

4. Salvadoranians who are naturalized in another country, and who remove their residence there.

5. Those who shall serve a foreign Government officially, in any political capacity, Administrative, Judicial, or Diplomatic, without the consent of the Legislative Power, as stipulated under Article 53 of the Constitution.

Art. 3. To determine the birth-place within the meaning of the previous Article, it is admitted that national ships, without distinction, form part of the national territory, and those born on board of them will be considered as born within the territory of the Republic.

Art. 4. Pursuant to the extra-territorial privileges which Diplomatic Agents have, the children of Ministers, and those belonging to the other members of the Legations of Salvador, can never be considered as born outside of their country under this Law.

Art. 5. The nationality of a person or entity is governed by the law which

authorizes its formation; consequently, all persons so qualified under the law of the Republic shall be recognized as Salvadoranians after having acquired their residence in it. Reputable aliens enjoy in Salvador the same privileges as are conceded to them by the laws of their own country, admitting that such laws would not conflict in any manner with the laws of this Republic.

Chapter II.—*Expatriation and Naturalization.*

Art. 6. The Republic of Salvador recognizes the privilege of expatriation as necessary to the enjoyment of individual freedom; it permits its own people to make use of this privilege, allowing them to go out of its territory, and to establish themselves in a foreign country, and it likewise protects the privilege which all aliens have to settle within its jurisdiction. The Republic consequently receives the subjects or citizens of another nation, and naturalizes them pursuant to constitutional forms, and that which this Law prescribes.

Art. 7. Expatriation or naturalization, inherent, or acquired in a foreign country, does not exempt a criminal from extradition when a judicial sentence has been rendered against him, or from punishment to which he is amenable under existing Treaties, by International Agreements, or by the laws of said country.

Art. 9. The Government of Salvador will protect in the manner prescribed by the International Code the citizens of Salvador residing in foreign countries. The Executive, as it is deemed proper, will use all available means, provided these do not conflict with or constitute a hostile act against the law of that country; but if the diplomatic intervention be not adequate, or if the grievances against Salvadorian nationality be of such a nature as to demand severe measures, the Executive will then inform Congress, in compliance with constitutional prescriptions.

Art. 10. The naturalization of an alien is ineffectual after a residence of two years in his country, unless it is due to the discharge of an official Commission from the Government of Salvador, or with its consent.

Art. 11. All aliens can become naturalized in the Republic of Salvador by complying with the stipulations consigned in Article 43 of the Constitution; they shall make a written application, specifying in it the allegations and asseverations alluded to in the following Article of this Act.

Art. 12. All naturalization implies the renunciation of allegiance to all foreign Governments, and specially to the one to which the person naturalized previously belonged; of all protection in contradiction with the laws and authorities of Salvador; and of all immunities which international law, or existing Treaties, grant to foreigners. Moreover, the person naturalized shall pronounce the oath of allegiance, and swear loyalty to the laws and authorities of the country.

Art. 13. Naturalization papers will not be given to persons reputed or considered in other countries as pirates, slave-dealers, incendiaries, forgers of coins, bank notes, or other paper representing a money value, nor to murderers, plagiarists, or thieves. The naturalization which an alien may have fraudulently acquired in contravention with the law is null and void.

* * * * *

Art. 15. All naturalization papers or certificates will be issued gratuitously, nor can any fee be collected on them as a charge or expense for delivering the certificate, sealing it, or with any other intent.

Art. 16. The Act of Naturalization being a personal privilege, it is only with a special and full power of attorney that the applicant can be represented, when the official form can be dispensed with; but in no case will the power of attorney be valid in case of the non-residence of the alien in the Republic at the time required.

Art. 17. The qualifications of an alien, or of a native, cannot be transferred to a third person; consequently, the native cannot enjoy the privileges of an alien, nor the latter have the immunities of the former.

Art. 18. A change of nationality does not produce any retroactive consequences. The obtaining or the recovery of immunities attached to Salvadorian nationality cannot be made available before the day following the one in which naturalization was granted.

Art. 19. Colonists coming to this country on their own responsibility, or in the interest of Companies and private enterprises, as well as all other emigrants, may be naturalized according to the special qualifications of each, in accordance with constitutional prescriptions, provided these do not conflict with the rights stipulated in their contract.

Art. 20. The naturalized foreigner shall become a citizen of Salvador after com-

plying with the requirements of the Constitution, as stipulated under Article 51, being placed on an equal footing and having the same obligations as the native Salvadoranians; but he is restricted from, and ineligible to, such offices and dignities as are inherent to the native Salvadoranians, and so admitted by the Constitution.

Chapter III.—*The Purpose of Matriculation.*

Art. 21. The matriculation of aliens consists in the inscription of their names and nationalities in a register kept for this purpose in the Ministry for Foreign Affairs of the Republic.

Art. 22. Aliens desiring matriculation shall apply to the Ministry for Foreign Affairs if they reside at the capital of the Republic; but those who reside elsewhere shall apply to the Governor of that department where they have located their residence, and qualify their nationality with the documents enumerated herewith, as follows:—

1. A certificate from the Diplomatic or Consular Agent accredited in the Republic, stating that the person concerned is a native of the country which he officially represents.

2. The passport which the applicant brought with him when he entered the Republic, duly certified.

3. The naturalization paper certified in like manner; and only when its loss or destruction is sufficiently proved, or when such document is not a legal requisite in the country from whence it should have been issued, can other proofs of equal value be omitted, that the said person did lawfully acquire the nationality which he claims to have.

Art. 23. The competent official having presented this qualified proof of the applicant's nationality to the Ministry for Foreign Affairs, the inscription will be made, and a certificate given to the alien through the said official upon payment of 5 fr. to the General Treasury, this being the only fee required for matriculation.

Art. 24. The matriculation of an alien constitutes a legal conjecture only that said alien belongs to the nationality attributed to him; it therefore admits of proofs to the contrary.

Art. 25. Matriculation is duly proved by a certificate from the Minister for Foreign Affairs, who is the only authorized person to issue it.

Art. 26. No official or public functionary to whom such a certificate of matriculation has not been shown can otherwise recognize an individual as having a determined foreign nationality.

Art. 27. Matriculation can be of no use to its possessor in order to establish or prove a privilege, or any claim which he may attribute to it, if the pretended action or motive is anterior to the date of matriculation.

Art. 28. The national qualifications which distinguish some aliens from others, as established under matriculation, bestow upon them certain immunities, and impose special obligations. These privileges, strictly speaking, are qualified by the laws of the Republic as aliens' rights.

Art. 29. Aliens' rights are:—

1. That in which the alien has to invoke existing Treaties between Salvador and his nation.

2. That in which the alien has to apply for the protection of his Sovereign through diplomatic representation.

3. The privilege of reciprocity.

Art. 30. The judicial status of the matriculated alien, as determined by the immunities referred to, may be altered by the waiver of the alien himself, and also by a state of war between Salvador and the nation of said alien.

Art. 31. This waiver may be expressed or tacit: expressed when consigned in an agreement between the Government and the alien, and tacit when the alien executes a deliberate act through which he makes himself directly liable to the laws of Salvador, which may concede indulgence to him under the stipulations of said waiver.

Chapter IV.—*Immunities and Obligations of Aliens.*

Art. 32. Aliens are subject to the stipulations of Article 4 of the Constitution, and to the Law enacted 3rd March, 1877. They also enjoy the guarantees specified in Article 2 of said Law; exception made of the faculty which the Executive has to expel a pernicious alien. The proceedings in such cases will simply be administrative.

Art. 33. Aliens also enjoy the civil rights belonging to Salvadoranians; but the Legislative Body can modify and restrict them, through the principle of reciprocity, so that the alien may remain in the Republic of Salvador under the same restrictions as the laws of the alien's country determines to place upon Salvadoranians.

Art. 34. Aliens can reside in this Republic for all lawful purposes without losing their nationality. The election, change, and loss of the alien's residence are governed by the laws of Salvador.

Art. 35. The suspension of personal guarantees once declared under martial law, the alien will stand on an equal footing with the Salvadoranian, and subject to the disposition of the law which decrees such suspension; excepting the stipulated conditions inserted in pre-existing Treaties.

Art. 36. Resident aliens have to pay personal, general, and local taxes, ordinary and extraordinary contributions, the same as Salvadoranians, unless excepted therefrom by special international stipulations. As to taxes on real estate property, they are liable to the payment of those mentioned under Article 47 of the Constitution.

Art. 37. Transient aliens are exempt from all taxation, merely of a personal class, ordinary and extraordinary contributions, and from all other imposts; but they are not exempt from paying the taxes levied on real estate property, nor from the ordinary taxes collected on their property, industry, profession, or business.

Art. 38. All aliens are compelled to obey and respect the laws, institutions, and authorities of the Republic, as specified in Article 45 of the Constitution, and they must submit to the dictations and sentences of the Law Courts without using other means than those available through the law, which are the same as those granted to Salvadoranians.

Art. 39. Only in case of a denial of justice or arbitrary delay in rendering it can foreigners appeal for diplomatic intervention, but after having exhausted the ordinary resources known and prescribed by the laws of the Republic.

Art. 40. It will be considered a denial of justice only when the judicial authority refuses to render a formal verdict upon the case, or upon any incident of the suit on which he may be engaged, or which has been submitted to the Courts; consequently, the sole fact of the Judge pronouncing a sentence or judgment, whether in favour of plaintiff or defendant, acquits the Court of any alleged denial of justice; although it may be surmised that the sentence was iniquitously rendered, and contrary to the meaning of the law.

Art. 41. The delay in rendering justice ceases to be arbitrary, provided the Judge attributes it to some good and lawful cause, or that it is owing to physical impediment which he cannot prevent.

Art. 42. Aliens do not enjoy any of the political prerogatives inherent in citizens of Salvador; consequently, they cannot vote nor be voted for by popular election; neither can they be appointed to any public office, or commissioned to perform any service which implies the holding and exercise of authority, civil or political privileges, nor can they associate with others to participate in any manner in the political affairs of the Republic; they should not make use of their rights as applicants in such cases.

Art. 43. Aliens who shall arbitrarily use or avail themselves of the qualified prerogatives mentioned in the above Article will be held responsible for their conduct, and, in consequence, will have to submit to the stipulations of the law as all other Salvadoranians, without being, nevertheless, held as naturalized; exception made as stated in Article 45 of the Constitution.

Art. 44. Aliens are exempt from military service, but those residing in the country are liable at all times to jury duty, and any other which does not imply judicial authority or deliberative judgment. Aliens shall lend their personal service for police duty when it is for the purpose of protecting property and the keeping of good order in the town where they reside.

Art. 45. Aliens are prohibited from violating the Neutrality Laws of the Republic or that of its Government in case of a foreign war.

Art. 46. Aliens shall not participate or interfere in the civil affairs of the country, and those who do not observe this mandate can be expelled from the territory of Salvador by the Executive as pernicious aliens; they shall be subject, however, to the laws of the Republic for the transgressions committed, but they will not forfeit their acquired rights, nor must they forget their obligations during war-time, as determined by international law and existing Treaties.

Art. 47. As to the transgressions specified under Article 20 of the Code of

Criminal Procedure the alien who infringes them, or acts as abator, accomplice, or concealer, will be held subject to the resolutions of Article 21 of the said Code.

Art. 48. Crimes committed at a previous time in a foreign country, and repeated in the Republic, will be punished according to the laws of this country, whether or not the delinquents are Salvadoranians or aliens, provided they have been apprehended within the territory of Salvador.

Art. 49. Transgressions committed outside of Salvador by foreigners against other foreigners will not be prosecuted in this Republic, but the Government can expel the delinquents from the country as pernicious aliens.

Art. 50. Transgressions committed within the territory of the Republic, by aliens and against aliens or Salvadoranians, will be prosecuted and chastised pursuant to Salvadorean law.

Art. 51. The following transgressions will be considered as though executed within the territory of the Republic:—

1. Those executed on board of a war-ship or merchant-vessel of Salvador on the high seas.

2. Those executed on board of a war-ship of Salvador in a foreign port or in foreign waters.

3. Those executed on board of a merchant-vessel of Salvador in a foreign port or in foreign waters, when sentence has not been pronounced in the country to which the port or waters belong.

Art. 52. When an alien transgresses against the exterior peace of the Republic, or becomes rebellious and seditious, the Government can expel him immediately from the country, employing administrative measures, or submitting him to judgment, according to usual practice or form.

Art. 53. In case of rebellion or sedition, the delinquent alien will be considered as more guilty, and in passing sentence upon him this fact will aggravate his case.

Art. 54. The present Law does not grant to aliens the privileges withheld from them under international laws, or existing Treaties, nor under the Statutes of Salvador.

Art. 55. Although the Spanish-Americans do not consider themselves as aliens in Salvador, they will nevertheless be subject to the present Law until the formation of the Grand Latin-American Confederation referred to in Article 151 of the Constitution.

Art. 56. Central Americans will not be considered as foreigners under the meaning of the present Law.

Given at the National Palace, San Salvador, 27th day of September, 1886.

The Executive Power,

(Signed) DOMINGO JIMÉNEZ, *President*.

(Signed) MAXIMO MANCIA, *Secretary*.

JEREMIAS GUANDIQUE, *Pro-Secretary*.

National Palace, San Salvador, September 29, 1886.

Publish it.

(Signed) FRANCISCO MENÉNDEZ,

Constitutional President of the Republic.

(Signed) MANUAL DELGADO,
Secretary of State for Foreign Affairs.

Inclosure 3 in No. 27.

COSTA RICA.

Decree No. 23.

Law respecting Foreigners and Naturalization.

(Translation.)

THE Permanent Commission of the Constitutional Congress of Costa Rica,

Considering:

1. That it is of pressing necessity to issue a Law completing the constitutional dispositions referring to citizenship, foreigners, and naturalization;

2. That it is also convenient to incorporate the secondary and incomplete dispositions treating this question, spread over various collections of the Code ;
Being urgently called upon by the Executive, decrees the following Law of Foreignership and Naturalization :—

Article 1. True-born Costa Ricans are :—

1. The legitimate child of a Costa Rican father, wherever he may be born.
2. The illegitimate child of a Costa Rican mother, wherever he may be born.
3. The illegitimate child of a foreign mother acknowledged by a Costa Rican father.
4. The child born or found in Costa Rica whose parents or nationality are unknown.
5. The inhabitants of the Province of Guanacaste who settled there definitely since its incorporation into this Republic (9th December, 1825) until the Treaty of the 15th April, 1858, with Nicaragua.
6. The children of a foreign father, born on national territory, who after coming of age (21 years) inscribe themselves of their own free will in the civil register, or by that of their father, or, in default thereof, by that of their mother, before attaining said age.

Art. 2. The minors of a Costa Rican father who has lost his nationality can, on coming of age, claim the qualification of Costa Rican, giving a declaration to that effect to the Diplomatic Agents or Consuls of the Republic, should they reside abroad, or to the Foreign Office should they reside in the country. Should they be living in the Republic, and, on arriving at their majority, have accepted any public post, or served in the national army or navy, they will be considered Costa Ricans without any further formalities.

The same will apply to illegitimate children of a Costa Rican mother who may have lost her nationality, and who have been acknowledged by a foreign father.

Art. 3. Naturalized Costa Ricans are :—

1. Foreigners who acquire or have acquired Costa Rican citizenship according to law.
2. Costa Ricans who having lost their nationality recover it.
3. The foreign woman who marries a Costa Rican, which qualification she retains in her widowhood.

Art. 4. The Costa Rican nationality is lost by :—

1. Those Costa Ricans who become naturalized in a foreign country.
2. Those who accept public posts, titles, or decorations conferred by any foreign Government, without the consent of the National Government, excepting literary, scientific, or humane titles, which may be freely accepted.
3. Those who should accept military service in a foreign nation, or enlist in any foreign military body, without the permission of the Government.
4. The illegitimate child of a Costa Rican mother, who is a minor, on being acknowledged by his foreign father with her consent.
5. The Costa Rican woman who marries a foreigner will remain a foreigner still, in her widowhood, unless she did not acquire her husband's nationality in accordance with the laws of his country, in which case she would retain her own.

Art. 5. The Costa Rican who may have lost his nationality may recover it :—

1. If he is in the position of paragraph 1 of the preceding Article, on returning to the Republic and making a declaration at the Foreign Office of his intention to fix his residence in Costa Rica, and that he renounces his foreign nationality.
2. If paragraph 2 of the preceding Article applies to him, then on making a declaration at the Foreign Office that he has given up the employment, title, or decoration conferred on him by a foreign Government.
3. If he should come under paragraph 3 of the same Article, by asking permission of the Government to return to the territory of the Republic, and with its consent returning to Costa Rica and complying with what is required of a foreigner who wishes to become naturalized.
4. If he should come under paragraph 4, by declaring, on reaching his majority, at the Foreign Office that he chooses the Costa Rican nationality, or by being inscribed by his father in the civil register before attaining full age.

5. In the case of paragraph 5, the widow may return to the Republic and make a declaration before the Foreign Office that she desires to reside in Costa Rica, and renounces her foreign nationality.

Art. 6. The change of nationality of the husband during marriage affects also the nationality of the wife, if, according to the laws of the country whose nationality is adopted by the husband, the wife assumes the same.

Art. 7. The rule that a conceived child is considered born for all that may favour him, may be invoked by him who wishes to acquire or preserve the Costa Rican nationality.

Art. 8. Any foreigner who can prove the following can be naturalized in the Republic :—

1. That he is of age according to the laws of his country.
2. That he has a profession, trade, or income to live on.
3. That he has resided at least one year in the Republic, and conducted himself properly.

Art. 9. No certificate of naturalization will be granted to citizens or subjects of any nation with whom the Republic is in a state of war, nor to persons condemned judicially in other countries as pirates, slave-dealers, incendiaries, makers of base coin, or counterfeiters of bank notes or other documents of public credit, nor to murderers, plagiarists, and thieves.

Naturalization obtained fraudulently by a foreigner violating the law is void of effect.

Art. 10. A foreigner who wishes to become naturalized must present himself in person, or through a special attorney, at the Foreign Office, and must express his desire to become a Costa Rican citizen and renounce his nationality. This petition will be referred to the Governor of the province or district where the foreigner has been residing, with the view of obtaining information from three or more witnesses about the points contained in Article 8.

On receiving said information at the Foreign Office, the Government, if favourable to the petitioner, will grant a letter of naturalization if there be no legal impediment, otherwise it will be refused. The result will be published in the official Gazette.

The contents of this Article does not comprise foreigners who may be naturalized in virtue of the law. Nor does it comprise those who have a right to claim or choose the Costa Rican nationality, for whom only a simple declaration before a Diplomatic functionary or Consul of the Republic abroad, or at the Foreign Office, suffices.

Art. 11. The naturalization of a foreigner will not be valid should he live two consecutive years in his native country, unless it be caused by the fulfilment of an official commission of the Costa Rican Government, or with their consent.

Art. 12. The change of nationality does not produce any retroactive effect.

Art. 13. All naturalized citizens have the same rights as natives to the protection of the Government of the Republic, notwithstanding if they return to their native country they are subject to the responsibilities they may have incurred prior to their naturalization.

They have the same rights and obligations as the natives, but they will be disqualified to undertake those posts for which the law exacts a Costa Rican by birth.

Art. 14. Foreigners enjoy the rights contained in Article 12 of the Constitution, and also those contained in Treaties with foreign countries (see Article 12, below).

Art. 15. Without losing their nationality foreigners may reside in the Republic for all legal purposes. Notwithstanding, the Government may expel, administratively and summarily, with previous decision of the Government in Council, any foreigner without employ or known means of living, or who may have been condemned in a foreign land, or in the Republic, for any of the offences specified in Article 9, or who may take an active part in the existing politics of the country, and, in general, all those who may be considered pernicious. For the same reasons, and with the same procedure, the Government may deny the entrance to its territory to any foreigner.

Art. 16. Foreigners are obliged to contribute to public expenses as established by law, and to obey and respect the institutions of the country, being subject to the sentences of the Law Courts without other recourse of appeal than those granted by law to citizens. They can only appeal to diplomatic intervention in case of denial of justice or voluntary delay in its administration after having fruitlessly exhausted the ordinary recourses of the laws, and as determined by international law.

Art. 17. Foreigners do not enjoy the political rights of citizens; consequently they cannot vote nor be elected for any office of public election, nor can they be appointed to any post or commission invested with any civil or political authority or jurisdiction, nor can they form part of any Association with the view of intervening actively in the

existing policy of the Republic, nor take any part in it, nor assume the right of petition in such matters.

Art. 18. Foreigners are exempt from military service. Residents, however, are obliged to serve as police when the security of property and the preservation of order in the place they are living is at stake.

Art. 19. The stipulations contained in International Treaties supersede the matter of this Law with regard to citizenship, foreignership, naturalization, rights, and obligations of foreigners.

To the Executive :

Given in the Session Room of the National Palace at San José on the 20th December, 1886.

(Signed)

AND. SÁENZ, *President*.

(Signed)

M. GUEVARA, *Secretary*.

Presidential Palace, San José, December 21, 1886.

Be it executed.

(Signed)

BERNARDO SOTO.

(Signed)

MAURO FERNÁNDEZ,
Secretary of State of Justice.

Article No. 12 of the Constitution, referred to in Article No. 14 of the above Law, says:—

“Article 12. Foreigners enjoy in the territory of the nation all the civil rights of the citizen; they can undertake any industry, or engage in commerce, possess landed property, buy and transfer the same, navigate rivers and the coasts, enjoy freedom of worship, make wills, and marry in accordance with the law. They are not obliged to become citizens, nor to pay forced and extraordinary contributions.”

Inclosure 4 in No. 27.

NICARAGUA.

Laws in force relating to Nationality and Naturalization.

(Translation.)

Decree of Congress of February 18, 1861.

THE President of the Republic makes known to the inhabitants that the Congress has ordered the following:—

The Senate and Chamber of Deputies of the Republic of Nicaragua—

Decree :

Article 1. In addition to the manner of being naturalized in the Republic by concession of Congress, as provided for by fraction 9, Article 41, of the Constitution, foreigners may obtain naturalization:—

1. Natives of Central America who have resided for one year within the Republic.

2. Natives of Spanish America who have resided for two years, and all other foreigners who have resided for four years within the Republic.

Art. 2. Natives of Central America have only to declare their wish to be naturalized in the Republic at the expiration of the year of residence, but natives of Spanish America must declare their intention to become naturalized citizens one year before, and all other foreigners two years before.

Art. 3. Natives of Central America, Spanish America, and other foreigners who, before the emission of this Law, have resided within the Republic for the time specified in the foregoing Article, have only to declare their wish to be naturalized before the Municipal or other authority mentioned in the following Article.

Art. 4. The form of expressing the intention to settle in the Republic and acquire the rights of a Nicaraguan, is for the petitioner to present himself before the Municipality or local authority of the place of which he desires to become a citizen.

Art. 5. The Municipality or local authority will enter the Petition in the record-book, will give a certificate to the petitioner of his having thus declared his intention,

and will pass the corresponding advice in writing to the Prefect of the Department for his (the Prefect's) information. When the necessary time for naturalization shall have elapsed, and the before-mentioned authority shall be satisfied that such time has elapsed, he will grant the petitioner a certificate attesting that he is now a naturalized Nicaraguan.

Given in the Meeting Hall of the Chamber of the Senate, Managua, 18th February, 1861.

(Here follow the official signatures.)

Decree of Congress of March 7, 1865.

The President of the Republic makes known to the inhabitants that the Congress has ordered the following:—

The Senate and Chamber of Deputies of the Republic of Nicaragua—

Decree :

Article 1. The Government will give to every family of immigrants from the United States of America, or of any other nationality which may come to the Republic with the object of naturalization, up to the amount of 120 manzanas (about 240 acres) of ground from the unappropriated lands of the Republic, the exact amount depending on the number of persons composing the family. To bachelors will be granted up to 60 manzanas (about 120 acres).

Art. 2. Those who come with this object shall enjoy the same rights as to common and communal lands as the natives of the country, and shall be exempt for ten years from vicinal taxes, and from military service except in defence of the liberty and sovereignty of the Republic.

Art. 3. The lands thus conceded by this Law cannot be alienated, except at least one-half thereof shall have been cultivated, and the grantees have been duly naturalized in accordance with the Law.

Art. 4. To those who shall come with the view of settling, but who shall still desire to retain their foreign rights, the Government will give the same concession of land in similar proportions, but they will not acquire the exclusive right of possession, but will be considered simply as superficiaries; as also will those who coming with the purpose of naturalization, do not carry out their intention within the limit of time established by the Law. The rights thus conceded will only extend for ten years, nor can they be transmitted by any title except it be hereditary, unless at least one-half of the ground thus granted shall have been cultivated. At the end of ten years the rights thus conceded will expire, be they still in the possession of the immigrants, or in that of a third party. The before-mentioned period of ten years will commence from the tradition or delivery of the land.

Art. 5. In order to enjoy the privileges conceded by the present Law, it is necessary that the immigrants bring passports from the Ministers or Consuls of Nicaragua residing in foreign countries, issued in conformity with the instructions that have been given, or hereafter may be given, by the Government.

Given in the Hall of the Chamber of Deputies, Managua, 7th March, 1865.

[Here follow the official signatures.]

Decree of the President of the Republic of March 30, 1875.

The President of the Republic to its inhabitants :

Considering that in certain cases some officials have entertained doubts as to the right of foreigners to acquire real estate in the Republic without losing their original nationality; that even if such right should be denied to them by the Law of the 15th May, 1851, yet, in some Treaties of Friendship, Commerce, and Navigation (signed with foreign nations), such rights are conceded, whilst in others no definite mention of them has been made; but on the principle that whatever advantage may have been conceded to another nation should also be granted to the High Contracting Party in exchange for complete reciprocity; and taking into consideration that a laborious and peaceful immigration is a great fount of richness and civilization for every country, the President, by virtue of the power in him invested, decrees:—

Article 1. Citizens and subjects of the nations with whom Nicaragua has Treaties of Friendship shall enjoy, without losing their original nationality, the right of purchasing and holding within the Republic real estate of whatsoever nature, under the same conditions as natives of the country, so long as the nation to whom such citizen or subject shall belong do not refuse within their dominion equal rights to the natives of Nicaragua. Should such rights be denied to Nicaraguans, the real estate acquired by virtue of the present Decree shall be sold by the owner within the period of one year from the date of such denial, or the holder shall forfeit his foreign nationality.

Art. 2. This Decree shall be embodied entire in every deed of sale that, by virtue of said Decree, shall be drawn up, under penalty of nullity; and the public official who shall attest such deed without this requisite shall be responsible to whom it may concern for all loss, damage, and expense.

Given in Managua, on the 30th March, 1875.

(Signed)

PEDRO J. CHAMORRO.

Inclosure 5 in No. 27.

HONDURAS.

Acting Vice-Consul Motz to Mr. Gosling.

Sir,

Amapala, December 5, 1893.

REFERRING to your Circular of the 18th November regarding nationality and naturalization in this country, I have to say that the very few advantages pertaining to citizenship in Honduras are of such a character as to prevent the naturalization of foreigners, unless the native citizens of the Central American States may be looked upon as, and called, foreigners. These are considered and treated as Hondurians from the moment of their arrival within the limits of the Republic's territory unless they otherwise desire, and express such desire with legal formality.

Where the written law is frequently ignored, as is the case to a greater or less extent in all of these countries, naturalization is not eagerly desired by foreigners born and brought up under the protecting influence of modern Governmental science, and consequently few, if any, foreigners become citizens.

Article 6, Chapter II, of the Constitution of Honduras guarantees equality before the law to both natives and foreigners, but such equality is far from existing in practice. The foreigner often finds it difficult to enforce compliance with the law from the administrators of justice, and the native has by far more difficulty owing to the fact that he has only his social standing or political influence to champion his cause.

Another drawback to the naturalization of foreigners in this country is the disjointed military service. Men for the army are not systematically drafted into the Service as in other military countries, but simply impressed, being recruited, when needed, wherever found in the thoroughfares by press-gangs, who spring upon the victim suddenly as from ambush. Foreigners becoming citizens would, of course, become subject to this system of military recruiting. They would also become liable to election, and forced to serve unremunerative positions of municipal trust during every other year, if the public saw fit to elect them, no matter what the detriment might be through loss of time to their usual business. Citizenship here would also entail liability to corporal punishment.

I have, &c.

(Signed) ROBERTO MOTZ.

Chapter V.—Of the Constitution.

(Translation.)

ARTICLE 30.—(2). The citizens of the other Central American States will be considered as natives of Honduras, from the sole fact of residing in any part of Hondurian territory, unless before competent authority they express a desire to preserve their nationality.

Chapter II.—*Hondurian Public Rights.*

(Translation.)

ARTICLE 6. The Constitution guarantees for all the inhabitants of the Republic, be they natives or foreigners, the inviolability of human life, individual security, liberty, equality, and property.

Chapter III.—*Public Rights of Foreigners.*

(Translation.)

ARTICLE 13.—(1.) No one foreigner is more privileged than another. All enjoy the civil rights of Hondurians. In consequence, they may buy, sell, locate, exercise industries and professions, possess all kinds of property and dispose of same according to law, enter and leave the country with such property, frequent the ports of the Republic with their ships, and navigate its rivers and seas. They are free from extraordinary contributions, and guaranteed liberty of conscience, and can construct temples and cemeteries in any place in the Republic. Their matrimonial contracts cannot be invalidated from not being in conformity with the requisites of any religious belief providing they may have been legally celebrated;

2. They are not obliged to become citizens;

3. They may accept public positions, according to the conditions of the law; in no case will they be excluded from such positions for the sole motive of their origin; and

4. They obtain naturalization by residing continuously one year in the country, immigrants obtain it without this requisite, those who establish themselves in localities inhabited by Indians or on wild lands, those who undertake and carry out important public works, those who bring valuable fortunes into the country, and those who recommend themselves by inventions or application of great benefit to the Republic.

Article 14. Foreigners from their arrival in the country are obliged to respect the authorities and observe the laws. They are also obliged to observe dispositions and rules of police, and to pay the local imposts and contributions established for reasons of commerce, industry, profession, property, or the possession of "bienes," and such as in the future may be established for these same motives.

Article 15. The Laws and Treaties will regulate the use of these guarantees without altering or reducing them.

CHILE.

No. 28.

Consul-General Joel to the Earl of Rosebery.—(Received March 24.)

My Lord,

Valparaíso, February 8, 1893.

WITH reference to your Lordship's Circular despatch of the 13th October last, requesting me to forward to your Lordship copy and translation of the laws in force in Chile relating to nationality and naturalization, I have the honour to transmit herewith copy and translation of Article 6 of the Political Constitution of Chile, which governs the two cases, and a Report on these subjects.

I have, &c.
(Signed) LEWIS JOEL.

Inclosure in No. 28.

Report on Nationality and Naturalization in Chile by Mr. Lewis Joel, Acting Chargé d'Affaires.

Nationality.

ARTICLE 6 of the Political Constitution of Chile, a copy and translation of which is hereunto annexed, marked (A), declares that all children born on Chilean territory are Chileans. Children born abroad of Chilean parents are Chileans. Children born in Legations abroad, or on board Chilean ships of war, or on board of Chilean merchant-vessels, either in territorial waters or on the high seas, are Chileans.

Naturalization.

With regard to the law of naturalization, paragraph 3 of Article 6 of the Political Constitution of Chile, copy and translation of which is hereunto annexed, marked (A), provides that foreigners, after a residence of one year in the Republic, may obtain letters of naturalization on personal application to the Municipality of the district in which the applicant resides, and on declaration of his intention to continue to reside in Chile, provided he possesses the necessary qualifications as provided by paragraphs 1 and 2 of Article 8 of the Political Constitution of Chile, copy and translation of which is hereunto annexed, marked (B).

The Senate, in its session of the 23rd August, 1854, resolved that letters of naturalization could not be granted if solicited by power of attorney, and that they could only issue on personal application.

The privilege of a citizen of Chile may be conferred by a Decree of Congress without the qualification of a year's residence having been complied with.

By Decrees of the Chilean Government of the 18th November, 1845, and the 18th July, 1856, it was proclaimed that all foreign colonists who established themselves on uncultivated lands of the State would, by declaration, become citizens on obtaining possession of the Government grant of land.

All Chileans, including those who have been naturalized, can vote at elections, provided they are not less than 21 years of age, can read and write, and have been inscribed in the electoral register, but those who have obtained letters of naturalization cannot be elected a Deputy of Congress or a Senator until the expiration of five years from the date of their letters of naturalization. This restriction does not apply to those on whom citizenship has been conferred by a Decree of Congress.

The loss of citizenship in Chile is incurred by a sentence of imprisonment for crime, by fraudulent bankruptcy, naturalization in a foreign country, or accepting employment in the service of a foreign State without special permission of Congress.

Foreigners are not liable to military or naval service.

(Signed) LEWIS JOEL.

Valparaíso, February 8, 1893.

Annex (A).

Political Constitution of Chile.

(Translation.)

Chileans.

ARTICLE 6. Chileans are :—

1. Those born in Chilean territory.
2. Children of Chilean father and mother born in a foreign country, for the sole reason of their domicile being Chile.

The children of Chileans born in a foreign country, the father at the time being in active service of the Republic, are Chileans, even though fundamental or any laws call for their being born in Chilean territory.

3. Foreigners who after one year's residence in the Republic declare before the Municipality of the territory in which they reside that they wish to become Chileans, and ask for their papers of citizenship.

4. Those who obtain special papers of naturalization from Congress.

Annex (B).

Translation of paragraphs Nos. 1 and 2 of Article 8 of the Political Constitution of Chile.

ARTICLE 8. (1.) Landed property or a capital invested in some business or industry. The value of such landed property or capital shall be fixed in each province by a special law every decade.

(2.) The exercise of any industry or art, or the enjoyment of any employment or income, the emoluments of which are in proportion to the value of the landed property or capital referred to in paragraph No. 1.

ECUADOR.

No. 29.

Mr. Haggard to the Earl of Rosebery.—(Received January 12, 1893.)

My Lord,

Quito, November 30, 1892.

ON the receipt of your Lordship's despatch marked Circular of the 13th ultimo, I requested the Foreign Office here to furnish me with copies of the Laws of Ecuador relating to nationality and naturalization, and I have the honour to inclose copy and translation of the reply which I have received to that application, and of its inclosures.

A copy and translation of the inclosed "Ley de Estrangeros," was forwarded to your Lordship in my despatch of the 15th September.*

The Under-Secretary for Foreign Affairs has, in the absence of his chief from illness, informed me verbally that these enactments cover all previous Laws, and are therefore those which govern Ecuador in questions of nationality and naturalization.

To the four Articles from 15 to 18 in the "Ley de Estrangeros," to which attention is called in the note as affecting naturalization, may also be added the five succeeding Articles, 19 to 23, while the greater part of the Law would seem to bear more or less on one or the other of the subjects.

I have, &c.
(Signed) W. H. D. HAGGARD.

Inclosure 1 in No. 29.

Señor Nuñez to Mr. Haggard.

(Translation.)

M. le Ministre,

Quito, November 30, 1892.

IN reply to the note which you were good enough to address to me yesterday, asking for a copy of the Laws on nationality and naturalization which obtain in the Republic, I have the pleasure to transmit herewith—

1. A copy of Articles 13, 15, 52, 53, 56, 57, and 65 of the Civil Code, and of Articles 6, 11, 36, and 91 of our Constitution; and

2. A cutting from the "Diario Oficial," No. 31, in which appears the "Law for Foreigners."

The first comprises matters of nationality, and the second (Articles 15 to 18) questions relating to the naturalization of foreigners in Ecuador.

I have, &c.
(Owing to the illness of the Minister for Foreign Affairs),
The Minister of Finance,
(Signed) G. J. NUÑEZ.

Inclosure 2 in No. 29.

CIVIL CODE.

(Translation.)

ARTICLE 13. The Laws govern all the inhabitants of the Republic, including foreigners, and ignorance of them excuses no one.

Art. 15. Property in Ecuador is subject to Ecuadorian Laws, although the owners may be foreigners and resident in another country. This enactment does not affect the power which the owner has of engaging with reference to such property in contracts in a foreign nation.

But the results of such contracts, when they have to be carried out in Ecuador, will be subject to Ecuadorian Laws.

Art. 52. Those whom the Constitution of the State declares to be Ecuadorians are Ecuadorians. The rest are foreigners.

Art. 53. The Law recognizes no difference between an Ecuadorian and a foreigner, with reference to the acquisition and enjoyment of civil rights which this Code regulates.

Art. 56. Political domicile is applicable to the territory of the State in general. He who has or acquires it, is or becomes a member of the Ecuadorian community, although he keep his foreign nationality.

Art. 57. Civil domicile is applicable to a fixed part of the territory of the State.

Art. 65. Simple residence has the effect of civil domicile with reference to persons who have none elsewhere.

THE CONSTITUTION.

Article 6. Ecuadorians are—

1. Those born in the country of Ecuadorian father and mother.
2. Those born therein of foreign fathers who are resident in the country.
3. Those who, born in a foreign country of Ecuadorian father or mother, come to reside in the Republic, and express their wish to be Ecuadorians.
4. Natives of another State who are in the enjoyment of Ecuadorian nationality.¹
5. Foreigners—professors of sciences, art, or useful industry, or who possess real property or floating capital, and who, having resided a year in the Republic, declare their intention of establishing themselves therein, and obtain a letter of naturalization.
6. Those who have been granted it* by Congress for services to the Republic.

Of Citizens.

Art. 11. Ecuadorians who shall have lost their rights of citizenship may be granted its return by the Senate, but persons who have been condemned to confinement or prison for more than six months cannot obtain this until they have fulfilled their punishment.

An Ecuadorian who shall have naturalized himself in another country, will regain his rights of citizenship if he return to Ecuador, and, renouncing his foreign, declare his intention of resuming his Ecuadorian, citizenship.

Art. 36. Only those Ecuadorians who are in the exercise of the rights of citizenship can be public officials.

Art. 91. The President, or the person charged with the executive power, cannot violate the guarantees declared by this Constitution, . . . nor admit foreigners into the army with the rank of chiefs or officers without the permission of Congress.

Inclosure 3 in No. 29.

Extract from the "Diario Oficial."

(Translation)

THE Congress of the Republic of Ecuador, in consideration of the fact that it is necessary to give effect to the dispositions of Article 8 of the Constitution,

Decrees:

Article 1. Under circumstances which shall not have been established by various Treaties, the residence, rights, and obligations of foreigners shall be regulated in the Republic of Ecuador in conformity with the present Law.

Art. 2. Persons who are not included in the cases which Article 6 of the Constitution refers to, are foreigners in Ecuador.

Art. 3. Foreigners are domiciled or transitory.

The domiciled are those who—

1. Have acquired or shall acquire domicile in accordance with the Civil Laws.
2. Who shall, before any political authority, have declared their intention of domiciling themselves.

* i.e., Ecuadorian nationality.

3. Who, without such a declaration, shall have resided within the territory of Ecuador with the intention of remaining therein.

Art. 4. The intention of remaining shall be determined by—

1. Constant and voluntary residence for more than two years, without having held any public post under a foreign Government.

2. Residence in conjunction with the possession of landed property.

3. Residence in conjunction with the exercise of any trade with an established house, or of any other industry which shall not be transitory.

4. Marriage with an Ecuadorian woman, and residence in the country for more than a year.

Art. 5. Foreigners enjoy in Ecuador, in accordance with the Constitution and the Laws, civil rights and Constitutional guarantees.

Art. 6. The enjoyment of civil rights granted to foreigners by the preceding Article does not extend to the privileges which Ecuadorian Laws concede to natives.

Art. 7. Foreigners are subject in Ecuador to the same obligations as Ecuadorians, save that of military service, and those from which they are exonerated by Treaties, or failing these, by the law of nations.

Art. 8. In case of foreign war or internal commotion, foreigners, subject to Treaty arrangements, are, like Ecuadorians, subject to the laws of security and public order and to the use which the Executive may make of the extraordinary powers provided for in Article 94 of the Constitution.

Art. 9. Foreigners who take part in the civil discussions of the State, and in general those who may be prejudicial to morality, to public order, and to religion, may be expelled from its territory without prejudice to their being liable for offences committed therein, their rights and duties during the existence of war being regulated by international law and Treaties.

Art. 10. Foreigners cannot, with reference to the decisions of the Tribunals of Justice, have recourse to other measures than those established for Ecuadorians by the Laws of Ecuador.

Art. 11. Strangers are forbidden to associate to consider political affairs, to exercise the right of petition in such matters, to mix in public elections, or to prepare them.

According to the amount of culpability in this respect, the Executive Government can put into force the dispositions of Articles 9 and 10 of this Law.

Art. 12. Ecuador in its relations with other nations is not responsible except for the voluntary and premeditated acts of the lawful public authorities. Consequently, foreigners injured in the disturbances of civil wars cannot claim any indemnity, except in the cases and with the formalities which apply to Ecuadorians.

Art. 13. The foreigner who exercises electoral functions, or who undertakes any business, employment, or appointment which has attached to it any political authority or jurisdiction, or who takes part in sedition, rebellion, or civil war, loses the right to the exemptions which this Law recognizes, and in the cases for which his acts shall have rendered him responsible it shall be applied in the same manner and form as to natives.

Art. 14. Contracts concluded in Ecuador between the Government and foreign bodies, whether individuals or corporations, are subject to Ecuadorian law, and the duties and rights dependent on those contracts shall be defined exclusively by the local Judges or Tribunals.

It shall be an express condition of every contract of this nature, that the foreigner renounces all diplomatic claim with reference to the liabilities and duties dependent on the contract.

Art. 15. The Executive Power can issue, in accordance with the Constitution, a letter of naturalization to a foreigner who may ask for one.

Art. 16. The letter of naturalization shall be asked from the Executive Authority in a memorial in which the petitioner shows the State to which he belongs and the Government to which he is subject, as also the number, the names, the age, and the case of the persons who accompany him, and to whom the naturalization is to be extended.

The petitioner shall, moreover, prove legally his good conduct, and that the conditions demanded by Article 6, No. 5, of the Constitution, have been fulfilled by him. This proof, as well as the memorial of which the previous paragraph treats, shall be submitted to the Ministry of Foreign Affairs, through the Governor of the province in which the petitioner resides.

Art. 17. The Governor, as soon as he shall have received the letter of naturalization signed by the authority of the Executive Power, shall demand of the petitioner,

before he delivers it to him, that he swear (or protest solemnly, if an oath is forbidden by his religion) that he will for ever renounce every bond that unites him to another Government, and that he will sustain and act in accordance with the Constitution and the Laws of the Republic.

Art. 18. A register of the names and circumstances of the foreigners naturalized in Ecuador shall be kept in the Department for Foreign Affairs.

Art. 19. Following the husband, his wife, and his children who are minors, subject to the condition that they act in accordance with the laws, shall become naturalized when they shall have completed 21 years.

Art. 20. A foreign wife of an Ecuadorian follows the nationality of her husband, if she establish her domicile in his country.

Art. 21. The Ecuadorian woman who marries a foreigner in Ecuador, does not lose her nationality as long as she continue her Ecuadorian domicile.

Art. 22. An Ecuadorian woman married with a foreigner who transfers his domicile out of Ecuador, without intention of return, shall be considered as of the nationality of the husband as regards legal consequences in Ecuador.

Art. 23. The woman who shall have lost her Ecuadorian nationality in accordance with the preceding Article, can recover it when she likes, if she declare her intention of domiciliation in Ecuador.

Art. 24. Her political status acquired previous to the present Law shall not be altered thereby.

Art. 25. All Laws opposed to this are abrogated.

Given in Quito, the capital of the Republic, the 23rd August, 1892

[Here follow signatures.]

Inclosure 4 in No. 29.

Law respecting Foreigners.

(Translation.)

THE Congress of the Republic of Ecuador, considering that it is necessary to carry out Article 8 of the Constitution, decrees:—

Article 1. In all matters not regulated by Treaties with each nation, the residence, rights, and obligations of foreigners shall be regulated in the Republic of Ecuador by the present law.

Art. 2. Are foreigners in Ecuador all persons not coming within the circumstances defined by Article 6 of the Constitution.

Art. 3. Foreigners are domiciled or sojourners.
Are domiciled—

1. Those who have acquired, or may acquire, domicile in accordance with the civil law.

2. Those who have announced, in the presence of any political authority, their intention of becoming domiciled.

3. Those who, even without such declaration, have resided in the territory of Ecuador with the intention of remaining there.

Art. 4. The intention of remaining is proved by—

1. Continuous and voluntary residence for more than two years, without holding any public office under a foreign Government.

2. Residence joined with the possession of real property.

3. Residence joined with the carrying on of trade with a business establishment, or any other industry, provided it be transient.

4. Having married an Ecuadorian woman, and having lived in the country more than a year.

Art. 5. Foreigners enjoy in Ecuador, under the Constitution and the laws, all civil rights and constitutional guarantees.

Art. 6. The enjoyment of civil rights granted to foreigners by the preceding Article does not extend to the privileges reserved by the laws of Ecuador to Ecuadorian citizens.

Art. 7. Foreigners are subject in Ecuador to the same obligations as Ecuadorians, except to military service, and charges from which they are exempted by Treaty, or, in the absence of Treaties, by international law.

Art. 8. In the event of war abroad or of internal commotion, foreigners, like Ecuadorians, are, saving the stipulations of Treaties, subject to the "laws of security".

and public order, and to any use which the Executive may make of the extraordinary powers defined by Article 94 of the Constitution.

Art. 9. Foreigners who take part in the civil dissensions of the State, and, in general, those foreigners who may be dangerous to morals, to public order, and to religion, may be expelled the territory, without prejudice to their remaining subject to the laws of Ecuador for infractions of the law committed in Ecuador; and without prejudice to their rights and obligations, as long as the state of war continues, being regulated by international law and Treaties.

Art. 10. In regard to appeals from sentences of Courts of Justice, foreigners have no other courses open to them than those provided by the laws of Ecuador for Ecuadorians.

Art. 11. Foreigners are prohibited from forming associations for treating of the political affairs of Ecuador, from exercising the right of petition in this matter, and from taking part in popular elections, and from preparing such elections.

In accordance with the degree of guilt incurred in this matter, the Executive put in force the provisions of Articles 9 and 10 of the present Law.

Art. 12. In its relations with other nations, Ecuador is only responsible for the voluntary and premeditated acts of the Lawful Public Authorities. Therefore, foreigners injured during the troubles caused by civil wars may not seek compensation otherwise than in the circumstances and with the procedure laid down for Ecuadorians.

Art. 13. Any foreigner exercising electoral functions, or holding any charge, office, or place, carrying with it political authority or jurisdiction, or who takes part in any sedition, rebellion, or civil war, loses his right to the exemptions allowed to him by the present law; and should his actions involve responsibility, he will have to account therefor to the same extent and in the same manner as an Ecuadorian would have to do.

Art. 14. Contracts concluded in Ecuador between the Government and foreigners, whether individuals or Corporations, shall be subject to Ecuadorian law, and the duties and rights arising from such Contracts shall be defined exclusively by the local Judges or Courts.

It shall be an express condition of all Contracts of this nature, that the foreigner renounce all right to prefer a diplomatic claim in regard to duties and rights flowing from the Contract.

Art. 15. The Executive may issue, under the Constitution, letters of naturalization to such foreigners as request such letters.

Art. 16. The letters of naturalization shall be asked of the Executive in a Petition, in which the petitioner shall declare of what State he is a native, and of what Government he is a subject; and shall also declare the number of persons, their names, age, and sex, whom he brings with him, and who are to be included in the letters of naturalization.

The person wishing to be naturalized shall also furnish legal proof of his good behaviour, and that he realizes the conditions required by Article 6, No. 5 of the Constitution. Both this proof, and the Petition mentioned in the preceding paragraph, shall be submitted to the Minister for Foreign Affairs by the Governor of the province in which the petitioner resides.

Art. 17. The Governor, as soon as he has received the letters of naturalization from the official charged with the Executive power, shall require the petitioner, before delivery to him of the letters, to swear (or solemnly to affirm, in case his religion forbids him to take an oath) that he renounces for ever any tie which may bind him to any other Government, and that he will uphold and fulfil the Constitution and laws of the Republic.

Art. 18. In the Ministry for Foreign Affairs there shall be kept a register in detail of the names of all foreigners naturalized in Ecuador.

Art. 19. A wife and minor children become naturalized with the husband, saving the rights reserved to the children on their attaining the age of 21 years.

Art. 20. The wife, if a foreigner, of an Ecuadorian, follows the nationality of the husband, if she establishes her domicile in her husband's country.

Art. 21. An Ecuadorian woman marrying a foreigner in Ecuador does not lose her [original] nationality as long as she remains domiciled in Ecuador.

Art. 22. An Ecuadorian woman, who, being married to a foreigner, removes her domicile from Ecuador, without intention of returning, shall be considered, for legal purposes in Ecuador, to be of the nationality of her husband.

Art. 23. A woman who has lost her Ecuadorian nationality, under the provisions of the preceding Article, may, on becoming a widow, recover that nationality on showing her intention of becoming domiciled in Ecuador.

Art. 24. Political status acquired before the date of the present Law is not affected by it.

Art. 25. All laws in opposition to the present Law are abrogated.

Given at Quito, the capital of the Republic, the 23rd August, 1892.

The President of the Chamber of the Senate,
(Signed) VICENTE LUCIO SALAZAR.

The President of the Chamber of Deputies,
SANTIAGO CARRASCO.

The Secretary of the Chamber of the Senate,
FRANCISCO T. SALAZAR G.

The Secretary of the Chamber of Deputies,
JOAQUIN LARREA L.

Government Palace, Quito, August 25, 1892.

Let it be executed.

(Signed) LUIS CORDERO.

The Minister for the Interior and for
Foreign Affairs,

(Signed) PEDRO JOSÉ CEVALLOS.

MEXICO.

No. 30.

Sir S. St. John to the Earl of Rosebery.—(Received January 10, 1893.)

My Lord,

Mexico, December 21, 1892.

IN reply to your Lordship's Circular despatch of the 13th October last, I have the honour to transmit herewith a Report addressed to me by Mr. Bland on the subject of the Laws in force in the country relating to nationality and naturalization.

I have, &c.

(Signed) SPENSER ST. JOHN.

Inclosure 1 in No. 30.

Mr. Bland to Sir S. St. John.

Sir,

Mexico, December 20, 1892.

IN obedience to instructions contained in Lord Rosebery's Circular despatch of the 13th October, I have the honour to transmit to you herewith copy and translation of a note from the Mexican Minister for Foreign Affairs, inclosing copies of the Law respecting foreign nationality and naturalization now in force in the Republic, and of the Decree of the 12th December, 1891, on the subject of Mexican nationality.

I beg also to transmit English translations of these two documents.

It will be observed that M. Mariscal states in his note that he is not aware that the Law Courts have had to pronounce any decision in a nationality case since the date of the inclosed Law (the 28th May, 1886).

With a view to obtaining a clear statement as to the exact effect of the existing Law, especially as regards foreigners, I asked M. Pablo Martinez del Rio, one of the most rising lawyers in this capital, to furnish me with a Memorandum on the subject. I have the honour to inclose copy of the Report which he has been good enough to draw up, and which will be found to be an exhaustive analysis of the Law of the 28th May, 1886, as well as of the Articles of the Constitution affecting foreigners.

I may add that the only Treaty dealing exclusively with nationality in existence between Mexico and foreign nations is that with Italy, copy and translation of which were transmitted to the Foreign Office in my despatch of the 10th October last.

I have, &c.

(Signed) GODFREY D. BLAND.

Inclosure 2 in No. 30.

Señor Mariscal to Mr. Bland.

(Translation.)

M. le Chargé d'Affaires,

Foreign Office, Mexico, November 4, 1892.

IN reply to your courteous note of yesterday, I have the honour to forward to you two copies of the Law of Foreign Nationality and Naturalization now in force, and the Decree of the 12th December last on Mexican citizenship, and I beg to acquaint you that there is no information that the Courts have had to decide any case as to nationality since the date of the Law.

I avail, &c.

(Signed) IGNACIO MARISCAL.

Inclosure 3 in No. 30.

Decree.

(Translation.)

THE President of the Republic has been pleased to send me the following Decree:—

“Porfirio Diaz, President of the United States of Mexico, to its inhabitants, makes known:

“That the Congress of the Union has been pleased to decree the following:—

“The Congress of the United States of Mexico decrees:

“*Sole Article.*—The Executive is authorized to declare in particular cases, and at the request of the interested parties, that those Mexicans have not lost their nationality who have resided abroad more than ten years without having asked for the permit prescribed by the Laws, or being included in any of the exceptions to the same, provided always that it should appear that this omission has resulted from ignorance of the Laws in force.

(Signed)

“M. O. DE MONTELLANO,

“*President of Chamber of Deputies.*

“IGNACIO POMBO,

“*President of Chamber of Senators.*

“IGNACIO G. HERAS,

“*Secretary of Chamber of Deputies.*

“PEDRO SANCHEZ CASTRO,

“*Secretary of Chamber of Senators.*

“I, therefore, order it to be printed, published, distributed, and given due fulfilment.

“Given in the Palace of the Executive Power of the Union in Mexico, the 12th day of December, 1891.

(Signed)

“PORFIRIO DIAZ.

“To C. Licenciado Ignacio Mariscal,

“Secretary of State for Foreign Affairs.”

And I communicate it to you for your information.

(Signed)

MARISCAL.

*Department of State for Foreign Affairs, Mexico,
December 12, 1892.*

Inclosure 4 in No. 30.

Nationality and Naturalization.

1. THE clauses cited at the end of each paragraph refer to the Act of the 28th May, 1886; when another Act is referred to it is fully named.

2. Mexican citizenship is acquired:—

- (1.) By birth.
- (2.) By voluntary election.
- (3.) By virtue of the Law.
- (4.) By naturalization.

3. The following are Mexican citizens by birth:—

- (1.) Those born within the national territory:
 - (a.) To a father who is Mexican by birth or naturalization. (Article 1, clause 1.)
 - (b.) Of a Mexican mother to a father legally unknown under the Laws of the Republic. (Article 1, clause 2.)
 - (c.) Of parents unknown, or of unrecognized nationality. (Article 1, clause 2.)
- (2.) Those born elsewhere than in the Republic:
 - (a.) To a Mexican father who has not forfeited his nationality. (Article 1, clause 3.)
 - (b.) Of a Mexican mother if the father be unknown, and the mother have not

forfeited her nationality under the provisions of the Act of the 28th May, 1886. (Article 1, clause 4.)

4. For the purpose of determining the place of birth in the cases set forth in the preceding paragraphs, it is declared that the national territory includes all Mexican vessels, without distinction, and that those born on board thereof shall be considered as born within the Republic. (Article 3.)

By virtue of the extra-territorial privileges enjoyed by Diplomatic Agents, children of Ministers and employés of the Mexican Embassies abroad shall be considered as born within the national territory. (Article 5.)

5. The following are Mexican citizens by election:—

(1.) Those born elsewhere than in the Republic, but who, having established themselves therein, and subscribed in 1821 to the Declaration of Independence, have continued to reside within the national territory, and have not forfeited their nationality. (Article 1, clause 7.)

(2.) Mexicans who, resident in the territories ceded to the United States by the Treaties of the 2nd February, 1848, and the 30th December, 1853, complied with the conditions therein stipulated for the retention of their nationality. (Article 1, clause 8.)

Article VIII of the Treaty of Guadalupe Hidalgo of the 2nd February, 1848, gave to the Mexicans who elected to remain in the territories of the United States the choice of retaining their Mexican citizenship and rights, or of becoming citizens of the United States. But this right of election had to be exercised within the term of one year from the date of the final ratification of the Treaty. Those who remained in the said territories after the expiration of the said term of one year, without having declared their intention to retain their Mexican nationality, were to be considered as having elected to become citizens of the United States.

By Article V of the Mesilla Treaty of the 30th December, 1853, it was declared that all the provisions of Article VIII, and the other Articles therein referred to, of the Treaty of Guadalupe, should apply to the territory freshly ceded by the Republic of Mexico, and to the rights of persons and property existing within the said territory.

(3.) Mexicans who may continue to reside in territories subject to Guatemala, and Guatemalan citizens who may remain in Mexican territory, under the Treaty of the 27th September, 1882, provided that such citizens comply with the provisions of Article V of the said Treaty. (Article 1, clause 8.)

The said Article of the Guatemalan Boundary Treaty contains the same stipulations as Article VIII of the Treaty of Guadalupe Hidalgo.

6. The following can elect for Mexican citizenship:—

(1.) Those born elsewhere than in the Republic:

(a.) To a Mexican father who has forfeited his nationality. (Article 1, clause 3.)

(b.) To a father unknown by a Mexican mother who has forfeited her nationality (Article 1, clause 4.)

(2.) Foreigners—

(a.) Who acquire real property within the Republic (Article 1, clause 10);

(b.) Who may have children born to them in Mexico (Article 1, clause 11);

(c.) Who may serve the Mexican Government in an official capacity, or accept from the said Government any title or public appointment. (Article 1, clause 12.)

In order to acquire Mexican citizenship, those referred to in the two last-mentioned clauses must comply with the formalities set forth in paragraph 22.

7. The following are Mexican citizens by legal requirement:—

1. Those born elsewhere than in the Republic:

(a.) To a Mexican father who has forfeited his nationality, if they reside in the national territory, and, on attaining their majority, accept any public appointment in the Civil Service, army, navy, or National Guard; by such acts they shall be considered Mexican citizens, without further formalities. (Article 1, clause 3.)

(b.) To a father unknown by a Mexican mother who has forfeited her nationality, under the same conditions as those of paragraph (a). (Article 1, clause 4.)

(2.) Those born within the national territory to a foreign father, or by a foreign mother to a father unknown, if they shall not have, within a full year of their attaining their majority under the Laws of the country of the father or mother respectively, declared before the proper authorities of their place of residence, that they retain their parents' nationality. (Article 2, clause 2.)

(3.) Foreign women who contract marriage with a Mexican, retaining the latter nationality even in case of widowhood. (Article 1, clause 6.)

(4.) Colonists who come to the country under contracts to which the Government of Mexico is a party, and whose travelling and settlement expenses are defrayed by the latter.

8. The following are naturalized Mexicans:—

(1.) Those foreigners who become naturalized Mexicans under the Law of the 28th May, 1886. (Article 1, clause 9.)

(2.) Those Mexicans who, having forfeited their nationality, in accordance with the Law of the 29th May, 1886, should recover same by complying with the requirements of said Law according to the circumstances of the case. (Article 1, clause 5.)

The nationality of persons or corporations is governed by the Law which authorizes their formation; in consequence, all such entities established under the Laws of the Republic shall be Mexican, provided that their legal domicile shall be within its territory.

Foreigners.

9. The alien condition is acquired:—

- (1.) By birth.
- (2.) By legal requirements.
- (3.) By naturalization.

10. The following are foreigners by birth:—

(1.) Those born without the Republic who are subjects of a foreign Government and have not become naturalized Mexican citizens. (Article 2, clause 1.)

(2.) Those born in the national territory to an alien father, or of an alien mother to a father unknown, till the age at which, under the Laws of the father's or mother's respective countries, they would attain their majority. After the lapse of a year from such majority, without their having declared before the proper authorities of their place of residence that they retain the nationality of their parents, they shall be considered as Mexican citizens. (Article 2, clause 2.)

11. The following are foreigners by legal requirements:—

(1.) Those absent from the Republic without permission or appointment of the Government, or on account of education, public interest, the establishment of business or industry, or the practice of a profession, who shall allow ten years to pass without applying for leave to prolong their stay. This permission shall not at any time exceed five years' leave, and after one such concession, good and reasonable cause must be shown in order to obtain further leave. (Article 2, clause 3.)

(2.) Those in the official service of foreign Governments in any political, administrative, judicial, military, or diplomatic capacity, without permission from Congress. (Article 2, clause 6.)

(3.) Those who accept decorations, titles, or foreign employments, without having previously obtained the permission of Congress. This does not apply to scientific and humanitarian titles, which may be freely accepted. (Article 2, clause 7.)

(4.) Mexican women who contract marriage with a foreigner, retaining their acquired nationality, even in case of widowhood. Mexican women who do not acquire the nationality of their husbands by the Laws of the latter's country will remain Mexicans. (Article 2, clause 4.)

12. Mexicans who become naturalized in other countries are foreigners by naturalization. (Article 2, clause 5.)

13. The following are considered as foreigners:—

Those born without the Republic:

- (a.) To a Mexican father who has forfeited his nationality. (Article 1, clause 3.)
- (b.) Of a Mexican mother, if the father be unknown and the mother have become naturalized in a foreign country. (Article 1, clause 4.)

Those included in the two last-quoted clauses may elect to be considered Mexican citizens, on compliance with the requirements hereinafter mentioned in paragraph 23.

Naturalization.

14. Any foreigner possessing the following essentials may become naturalized in the Republic:—

He must—

- (1.) Have attained his majority, according to the laws of his own country.
- (2.) Have resided in the Republic at least two years. Absence in a foreign country, with the permission of the Government, shall not interrupt such residence, provided that said absence do not exceed the total term of six months in two years.
- (3.) Have properly conducted himself.
- (4.) Have some craft, calling, or profession, or pecuniary means of subsistence.
- (5.) Not be a subject or citizen of a State with which the Republic is at war.
- (6.) Not have been declared or reputed in other countries to be a pirate, slave-dealer, incendiary, coiner, forger of bank-notes or similar marketable papers, or to be an assassin, plagiarist, or robber. (Articles 11, 13, 21, and 22.)

15. Any foreigner wishing to become naturalized must apply to the Federal Government for a certificate of naturalization. In order to obtain this, he must previously—

(1.) Give notice in writing to the Municipality of his place of residence at least six months before making his application for naturalization, setting forth his intention to become a Mexican citizen, and to renounce his foreign nationality. The municipal authorities will issue him a certified copy of such declaration, filing the original with their papers. (Article 2.)

(2.) Appear personally before the Judge of the district in whose jurisdiction he resides, offering to show proofs that he possesses the qualifications required by the law. (Article 13.)

(3.) After having prepared the papers referred to in paragraphs 16, 17, 18, and 19 hereof, present them to the Secretary of State for Foreign Affairs, through the Judge of the district, requesting a certificate of naturalization, repeating his renunciation of foreign allegiance, and declaring his adhesion, obedience, and submission to the laws and authorities of the Republic. (Article 16.)

16. To the application presented to the Judge of the district he shall add:—

(a.) The certified copy, issued by the Municipality, of the document referred to in clause 1 of paragraph 15.

(b.) An express renunciation of all submission, obedience, and allegiance to all foreign Governments, and especially to that of which the applicant may have been a subject, of all protection foreign to the laws and authorities of Mexico, and of all rights granted by Treaty or by international law to foreigners. (Article 14.)

17. The Judge of the district, after confirmation by the applicant of his petition, shall order a hearing, before the "Promotor Fiscal,"* of witnesses on the points referred to in the four clauses of paragraph 14, with power, if necessary, to call for the Report of the Municipality with regard thereto, and with regard to the declaration referred to in clause 1 of paragraph 15. (Article 15.)

18. The District Judge shall also consider any other evidence submitted by the applicant in regard to the points referred to, and shall ask for the opinion of the "Promotor Fiscal" thereon. (Article 15.)

19. In the event of the latter's Report being favourable to the applicant, the Judge shall forward the original file of papers to the Foreign Secretary for the issue of the certificate of naturalization, if, in the opinion of the latter, there be no legal obstacle to such issue. (Article 16.)

20. For the naturalization of foreigners employed in the Mexican merchant navy, one year of service on board shall suffice, in place of the two years stipulated by the Law. The District Judge of any of the ports at which the vessel may touch shall be competent to carry out the formalities for naturalization; and in the same way, any of the Municipalities of said ports may receive the declaration referred to in clause 1 of paragraph 15. (Article 17.)

21. The following are not included in the provisions referred to in paragraphs 15 to 19:—

- (1.) Foreigners who may become Mexican citizens by virtue of the Law.
- (2.) Those who are entitled to elect for Mexican nationality. (Article 18.)

22. With regard to the first named, it shall be sufficient—

(a.) That the foreigner who acquires real property declare to the Notary or Judge respectively, at the time of execution of the conveyance, that he wishes to become a Mexican citizen, which resolution shall be set forth accordingly. (Article 1, clause 10.)

(b.) That the foreigner, who may have children born to him in Mexico, declare to the Judge of the Civil Registry, at the time of registering the birth, that he elects for Mexican nationality, which shall be set forth accordingly in the same entry. (Article 1, clause 11.)

If the parties referred to in the two last-quoted clauses elect for Mexican nationality, or omit to make any express declaration on the subject, they may within one year apply to the Secretary for Foreign Affairs for a certificate of naturalization.

(c.) That the foreigner who may be officially employed by the Mexican Government, or accepts from it public titles or offices, apply to the Foreign Secretary for a certificate of naturalization within the year following the date of his acceptance of said titles or offices, or of his having commenced to serve the Mexican Government officially. (Article 1, clause 12.)

The persons referred to in clauses (a), (b), and (c) shall forward to the Foreign Secretary, together with their application, the document proving that they have acquired real property, or had children born to them in Mexico, or have accepted some public employment, as the case may be. They shall also present the renunciation and declaration of allegiance required for ordinary naturalization. (Article 19.)

(d.) The celebration of the marriage ceremony in reference to a foreign woman contracting matrimony with a Mexican.

(e.) That the colonists who may come to the country in pursuance of a contract entered into with the Mexican Government, and whose travelling and settlement expenses have been defrayed by the latter, shall declare in their contract their intention to renounce their former nationality, and to become Mexican citizens; and that, on their establishment in the country, they shall make, before the proper authority, the renunciation and declaration required by Articles 13 and 16 of the Act of the 28th May, 1886.

23. Those who are entitled to elect for Mexican citizenship shall be considered as naturalized for all legal purposes, on simply complying with the following requirements:—

(1.) That within one full year from the date on which they shall have completed their twenty-first year, they make the respective declaration before the Diplomatic Agents or Consuls of the Republic, if residing without the territory thereof; or if residing within such territory, to the Secretary for Foreign Affairs. This rule is applicable:

(a.) To those born outside the Republic; to a Mexican father who has forfeited his nationality. If the children referred to in this clause shall reside within the national territory, and on attaining their majority have accepted any public office, or have served in the army, navy, or National Guard, they shall, by reason of such acts, be considered as Mexican citizens, without the necessity of any further formality. (Article 1, clause 3.)

(b.) To those born of a Mexican mother who has forfeited her nationality, and to a father unknown: regarding these, the same formalities shall be observed as appear in the final part of clause (a). (Article 1, clause 4.)

(2.) Those born to a father of foreign nationality, or of a foreign mother to an unknown father, if, within a year from the date when they shall have attained their majority according to the laws of their father's or mother's countries respectively, they shall not declare before the proper authorities of their place of residence that they retain their parents' nationality. (Article 2, clause 2.)

(3.) That, on the dissolution of a marriage, a woman of Mexican origin who may have contracted marriage with a foreigner, in addition to taking up her residence in the Republic, may declare before the Civil Registrar within whose jurisdiction she resides, her intention to resume her Mexican nationality. (Article 2, clause 4.)

24. Naturalization which has been effected by a foreigner in violation of the law is absolutely null and void. (Article 22.)

25. Certificates of naturalization will be issued gratis, without any fee being legally chargeable therefor, whether by way of costs, registration, stamps, or otherwise. (Article 23.)

26. The act of naturalization being of a purely personal nature, it can only be effected by an attorney with a special and sufficient power for this effect, and containing

the renunciation and declaration that the applicant must make personally; but in no case shall the power supply the lack of actual residence in the Republic. (Article 24.)

27. The character of Mexican citizen or alien is not transferable to third parties; in consequence, Mexicans cannot enjoy alien rights, nor aliens the prerogatives of Mexicans by reason of one and the other character. (Article 25.)

28. Change of nationality cannot produce any retrospective effect. The acquisition and reacquisition of Mexican rights affords protection only from the day following the date on which all the formalities and conditions established by the Law for the act of naturalization have been complied with. (Article 26.)

29. The change of nationality of the husband, subsequent to marriage, implies the like change of nationality in the wife and minor children under the father's control, provided that they reside in the country of naturalization of the husband or father, as the case may be, unless, according to the laws of the country of the latter, they do not acquire his nationality, in which case they shall retain their own. (Article 2, clause 4, end.)

30. The naturalization of a foreigner becomes null and void by the fact of his residence in the country of his birth for two years, unless such residence has been caused by the fulfilment of a commission from the Mexican Government, or with its permission. (Article 10.)

The laws requiring the inscription of foreigners in the Department of Foreign Affairs and the holding of passports are repealed. Only the Foreign Office can issue certificates of nationality in favour of foreigners who may seek the same. Such certificates afford a legal presumption in favour of the foreign citizenship, but do not exclude the production of proof to the contrary.

The definitive proof of any nationality must be made before the proper Tribunals (the district Courts), and in the form and manner established by Mexican law or by Treaties. (Article 39.)

Expatriation.

31. The Republic of Mexico recognizes the right of expatriation as natural and inherent in all men, and as necessary for the enjoyment of the liberty of the individual; in consequence, it both permits to its own inhabitants the exercise of the right to leave their country and establish themselves in foreign lands, and to foreigners of all nationalities to come and settle within its jurisdiction. The Republic, therefore, receives the subjects or citizens of foreign States, and permits their naturalization in accordance with the provisions of the Law. (Article 6.)

32. Expatriation and subsequent naturalization obtained in a foreign country, do not protect the individual guilty of a crime, from the extradition, trial, and punishment to which he is liable, under Treaties, international practice, and the laws of the country. (Article 7.)

Protection.

33. The Mexican Government will, by the means authorized by international law, protect Mexican citizens abroad. The President, as he may deem convenient, will make use of such means, provided that they do not constitute acts of war; but if diplomatic intervention prove to be insufficient, and the said means of no avail, or if the affronts to the Mexican nationality should be of a character to necessitate severer means, the President shall at once inform Congress thereof, at the same time presenting the corresponding documents, for action in accordance with the Constitution. (Article 9.)

34. Those who have become naturalized citizens of Mexico, even if residing abroad, are equally entitled with Mexicans by birth to the protection of the Government of the Republic, whether such protection is required for their persons or their goods. Nevertheless, if they shall return to their native land, this clause shall not relieve them from responsibilities which they may have there incurred before their naturalization, in accordance with the laws of the said country. (Article 8.)

Rights and Obligations of Foreigners.

Political Rights.

35. Aliens enjoy the benefit of the guarantees created by section 1 of Chapter 1 of the Constitution (Articles 1 to 26 thereof), treating of the rights of man, or individual

guarantees, without prejudice, however, to the right of the Government to expel pernicious foreigners, under the powers granted by Article 33 of the Constitution.

36. Upon the suspension of individual guarantees being declared in the terms provided for by Article 29 of the Constitution, foreigners as well as Mexicans will be subject to the provisions of the Law decreeing the said suspension, except when otherwise stipulated by Treaty. (Article 34.)

37. Foreigners do not participate in the political rights enjoyed by Mexican citizens; consequently, they can neither vote nor be voted for to fill any appointment fixed by the popular vote, nor can they be appointed to any other office or commission connected with the Departments of State, nor belong to the army, navy, or National Guard; nor may they assemble to debate the political affairs of the country, nor exercise the right of petition in this class of matters. This is, however, without prejudice to the provisions of Articles 1, clause 12, and 19 of the Act of the 28th May, 1886, quoted in paragraph 6 hereof. (Article 36.)

38. Foreigners are exempt from military service. Aliens domiciled in the country, however, are bound to do police duty whenever the safety of property and the preservation of public order in the town or place of their residence is at stake. (Article 37.)

39. Foreigners who may take part in the civil dissensions of the country may be expelled from its territory as pernicious foreigners, and they shall be subject to the laws of the Republic for any violations of neutrality they may commit, without prejudice to the fact that their rights and obligations during the continuance of war be regulated by international law and by Treaties. (Article 38.)

Civil Rights.

40. Foreigners in the Republic enjoy the same civil rights as Mexicans (Article 30). The Federal Law alone can modify and restrict such rights, on the principle of international reciprocity, in order that they be subject to the same incapacities as are imposed by the laws of their country on Mexicans resident therein; consequently, the provisions of the Civil Code, and Code of Proceedings of the Federal District regarding this matter, are federal in their nature, and shall be obligatory throughout the Union. (Article 32.)

41. Foreigners may, without forfeiting their nationality, acquire a domicile in the Republic for all legal purposes. The acquisition, change, or loss of domicile, shall be governed by the laws of Mexico. (Article 33.)

42. Foreigners residing in Mexican territory shall, for all legal purposes, be considered as domiciled in the country, whenever their stay be for a length of time, with the object of establishing a habitation, of acquiring real property, or of setting up any industry, which presumes a necessary residence of at least three years; but if they shall have no fixed residence, nor make a lengthened stay in the country, they shall be considered as transients. (Article 10 of the Act of the 30th January, 1854.)

43. Foreigners established and resident in the Republic may acquire and hold town or country property, including mines of any class of metals and coal, whether by purchase, adjudication, denouncement, or any other mode of tenure established by the Common Law or the Mining Code. (Article 1 of the Act of the 1st February, 1856.)

44. No foreigner can, without first having obtained the permission of the Supreme Government, acquire real property in the frontier States or territories, except at a distance of 20 leagues from the frontier-line. Foreigners desiring to obtain such permission must address an application to the Secretary of Fomento, in order that the latter may, after consideration of said application, and of the Report of the Government of the State or territory, as the case may be, dictate the answer that shall appear most convenient. (Articles 2 and 3 of the Act of the 1st February, 1856.)

45. The Act of the 28th May, 1886, does not confer on foreigners any rights not granted by international law, by Treaties, or by the existing legislation of the Republic. (Article 40.)

Provisions of the Civil Code.

46. The civil law is equal for all persons, without distinction of person or sex, except in cases particularly declared. (Article 1 of the Civil Code.)

47. Real property situated in Mexican territory shall be governed by Mexican law, even when owned by foreigners. (Article 13, Civil Code.)

48. The external form and formalities of contracts, wills, and all public deeds, shall be governed by the laws of the country in which the same may be executed. Notwithstanding, Mexicans or foreigners resident without the Republic may, at their option,

submit themselves to the formalities prescribed by Mexican law in all documents which are to take effect within the national territory. (Article 14, Civil Code.)

49. Obligations and rights derived from contracts or testaments executed without the Republic by a foreigner, but which have to take effect within the Republic, may be governed, in so far as relates to the internal matter of the deed, by the Mexican law, or by that of the country in which they are executed, provided the subject-matter of said documents be personal property. Where such subject-matter be real property, Mexican law shall always be followed. (Article 17, Civil Code.)

50. Both Mexicans and foreigners resident in the Republic, may be sued in the Courts of the country, to compel fulfilment of obligations contracted either with Mexicans or foreigners, within or without the Republic. (Article 25, Civil Code.)

51. They may similarly be sued in the Courts of the country, even when they do not reside within its jurisdiction, if they shall possess in such territory property which is subject to the said obligations, or if said obligations are to take effect in Mexico. (Article 26 of the Civil Code.)

52. If the plaintiff, in any civil suit, be a foreigner, he shall be called upon to give security for costs and damages, wherever and in the same manner as in the State or nation to which he may belong. Mexicans are subject to a like rule. (Article 938 of the Code of Civil Proceedings.)

53. Foreign Commercial Associations that may desire to establish a principal office or branch offices in the Republic, shall present and cause to be entered in the commercial registry, in addition to the certified copy of their Articles of Association, contracts and other documents relating to their constitution, the inventory or last balance, if such shall have been issued, and a certificate stating that they have been formed and authorized in accordance with the laws of the country of origin, issued by the Minister of the Republic in said country, or, in default thereof, by the Mexican Consul. (Article 24 of the Code of Commerce.)

54. When the Association in question is a Joint-Stock Company, it must publish each year a balance-sheet clearly showing its assets and liabilities, as well as the names of the persons intrusted with its management and direction. (Article 265 of the Code of Commerce.)

55. Failure to comply with the foregoing provisions entails on the persons entering into contracts on behalf of the Association, a personal and joint responsibility for all the obligations contracted by said Association. (Article 266 of the Code of Commerce.)

Obligations of Foreigners.

56. Foreigners are bound to contribute towards the public expenditure in manner provided by the laws, and to obey and respect the institutions, laws, and authorities of the country, submitting themselves to the judgments and verdicts of the Courts, without power to have recourse to any remedy but those granted by the laws to Mexicans. They may only appeal to their Diplomatic Representatives in the event of refusal to grant justice, or wilful delay in its administration, and after having exhausted all the ordinary resources known to the law, and then in such manner as may be indicated by international law. (Article 36.)

(Signed)

PABLO MARTINEZ DEL RIO.

Mexico, December 10, 1892.

PARAGUAY.

No. 31.

Mr. Welby to the Earl of Rosebery.—(Received February 2, 1893.)

My Lord,

Buenos Ayres, December 28, 1892.

I HAVE the honour to transmit herewith to your Lordship copies and translations of the Laws in force in Paraguay relating to nationality and naturalization which have been forwarded to me from Asuncion by Mr. Consul Stewart.

Mr. Stewart further informs me that, after making full inquiry, he finds that there are no decisions of the Courts nor any Regulations which affect the interpretation of these Articles of the Constitution.

I have, &c.

(Signed) GEORGE E. WELBY.

Inclosure in No. 31.

Translation of the Articles of the Constitution of the Republic of Paraguay relating to Foreigners, Nationality, and Naturalization.

PART I.

Chapter I.—General Declarations.

ARTICLE 3. The religion of the State is the Roman Catholic Apostolic; the Head of the Church must be a Paraguayan, although Congress cannot prohibit the free exercise of any other religion in the whole territory of the Republic.

Article 33. Foreigners enjoy in the whole territory of the nation all the civil rights of the citizen; they can exercise their industries, commerce, or profession; possess real estate, buy it and sell it; navigate the rivers; fully exercise their worship; make wills and marry according to the laws. They are not obliged to accept citizenship nor to pay extraordinary forced contributions.

Chapter III.—Of Citizenship.

Article 35. Paraguayan citizens are: (1) those who have been born in Paraguayan territory; (2) the children of a Paraguayan mother or father, by the simple fact of taking residence in Paraguay; (3) the children of Paraguayans born abroad, if the father is in the actual service of the Republic: these are Paraguayan citizens even for the effects in which the Fundamental Laws or any others require birth in Paraguayan territory; (4) naturalized foreigners will enjoy all the political rights of those born in Paraguayan territory, and can occupy any post except that of President, Vice-President of the Republic, Ministers, Deputies, and Senators; (5) those who have the special favour of naturalization from Congress.

Article 36. To become naturalized in Paraguay, it is sufficient that any foreigner shall have resided two consecutive years in the country, shall possess some real estate or working capital, or profess some science, art, or industry. This period may be abbreviated if he be married to a Paraguayan, and if he allege or prove services in behalf of the Republic.

Article 37. It belongs to Congress to declare, respecting those born in Paraguayan territory, if they are, or are not, in the position of obtaining naturalization in accord with Article 33; and the President of the Republic will dispatch, in consequence, the corresponding letter of naturalization.

Article 38. All Paraguayan citizens without the impediment of the following Article have the right of suffrage from the age of 18 years.

Article 39. The right of suffrage is suspended (1) from physical or moral ineptitude that may impede from acting freely and with reflection; (2) from being a soldier, corporal, or sergeant of troops of the line or mobilized National Guard of land or water, under whatever denomination they might serve; (3) from being prosecuted as a criminal who deserves defamatory punishment.

Article 40. Citizenship is lost: (1) by fraudulent bankruptcy; (2) by accepting employments, functions, distinctions, or pensions from a foreign Government without special permission of Congress.

Article 41. Those who from any of the causes mentioned in the previous Article may have lost the quality of citizens will be able to obtain by entreaty the restitution of rights and privileges from Congress.

PERU AND BOLIVIA.

No. 32.

Sir C. Mansfield to the Earl of Rosebery.—(Received March 8.)

My Lord,

Lima, January 27, 1893.

I HAVE the honour to transmit copies and translations of the Articles in the Bolivian and Peruvian Constitutions relating to nationality and naturalization, called for in Circular of the 13th October.

By a recent Law, foreigners resident in Peru become entitled to vote for municipal elections without the obligation of acquiring Peruvian nationality.

The Peruvian Government holds tenaciously to the principle that children born of foreigners in Peru are Peruvian citizens.

In times of revolution the sons of foreigners might suffer some inconvenience; but military service is in practice only exacted from the class of Indians and half-breeds, and persons of European extraction are usually in a superior social class, and consequently are not often molested as regards military service or that in the National Guard.

I have always found the Peruvian Government willing to listen to friendly offices in behalf of the sons of British subjects in matters of claims, law-suits, &c., provided always that such friendly offices advance no pretention of British nationality for the persons interested.

The inclosed data could have been forwarded at an earlier date, but I only received the copy of the Peruvian Constitution from the Ministry for Foreign Affairs a few days since, and after a second application.

I have, &c.
(Signed) C. E. MANSFIELD.

Inclosure 1 in No. 32.

Articles 31 and 32 of the Constitution of Bolivia, which lay down the Conditions to be observed in Cases of Naturalization of Foreigners.

(Translation.)

ARTICLE 31. Are held to be Bolivians by birth:

1. All individuals born within the frontiers of the Republic.
2. Those born in foreign parts of Bolivian parents, father or mother, serving abroad, or who have emigrated for political reasons, are held to be Bolivians by birth, even in cases when the law shall require that the birth shall have taken place in Bolivian territory.

Article 32. Are likewise Bolivians:

1. The children of a Bolivian father or mother born in foreign parts on becoming domiciled in Bolivia.
2. Foreigners who after a year's residence in the Republic shall declare before the Municipality of their place of residence their wish to become domiciled.
3. Foreigners who shall obtain letters of naturalization from the Chamber of Deputies.

(Signed) NARCISO CAMPERO,
President of the Bolivian Republic.

La Paz, October 28, 1880.

Inclosure 2 in No. 32.

Provisions of the Constitution of Peru, Census Law, and Civic Register concerning Nationality, Naturalization, and the Rights of Citizenship.

PERUVIAN CONSTITUTION.

Chapter V:—*Of Peruvians.*

(Translation.)

ARTICLE 33. The Peruvian nationality is acquired by birth or by naturalization.

Article 34. Are Peruvians by birth:

1. All persons born upon Peruvian territory.
2. The children of a Peruvian father or mother born in foreign parts, and whose names shall have been inscribed in the Civic Register, during minority by the will of their parents, or by their own wish, upon attaining majority or being emancipated.
3. Natives of Spanish-America, and Spaniards residing in Peru at the time of the Proclamation of Independence, and who subsequently continued to reside in the country.

Article 35. Are Peruvians by right of naturalization:

1. Foreigners over 21 years of age, residing in Peru, who exercise any trade, industry, or profession, and who cause their name to be inscribed in the Civic Register in the manner prescribed by law.

Chapter VI.—*Of Citizenship.*

Article 37. Are held to be citizens with the right of exercise of certain functions as such: all Peruvians over 21 years of age, and all married men even under age.

Article 38. The right of suffrage is granted to all citizens who can write and read, or are employers of labour, or are owners of some landed property, or who pay some tax to the Public Treasury.

The exercise of this right is regulated by a special Law.

Article 39. All citizens may obtain a public appointment on possessing the qualifications required by law.

Article 40. The exercise of the rights of citizenship is suspended:

1. By legal incapacity.
2. By proceedings in bankruptcy.
3. By a criminal Judgment and sentence of imprisonment.
4. By the condition of notorious vagabondage, gambling, or divorce pronounced against the individual.

Article 41. The rights of citizenship are forfeited:

1. By a judicial sentence entailing the loss.
2. By fraudulent bankruptcy judicially declared.
3. Upon obtaining or exercising the rights of citizenship in a foreign country.
4. Upon accepting from a foreign Government any appointment, title, or decoration, without the permission of Congress.
5. By monastic profession, withdrawal from which, however, restores citizenship.
6. By trading in slaves wherever the traffic may be carried on.

Chapter VIII.—*Of the Legislative Power.*

Article 47. To be a Deputy it is required:

1. To be a Peruvian by birth.
2. To exercise the rights of citizenship.

Article 49. To be a Senator it is required:

1. To be a Peruvian by birth.
2. To exercise the rights of citizenship.
3. To be 35 years of age.

Chapter XI.—*Of the Executive Power.*

Article 79. To be President of the Republic it is required:

1. To be a Peruvian by birth.

2. To be a citizen in the enjoyment of his right.

3. To be 35 years of age, and to have been domiciled in the Republic during ten years.

Chapter XII.—*Of Ministers of State.*

Article 98. To be a Minister of State it is required to be a Peruvian by birth, and a citizen in the exercise of his rights.

Census Law and Civic Register.

Article 19. Any person who, in compliance with Articles 34 and 35 of the Constitution, may desire to enter his name in the Civic Register, shall appear before the Municipality and submit for inspection the documents showing his rights.

If he be admitted, his name shall be entered in the register, signed by himself, and a certificate of the same signed by the Mayor ("Alcalde"), and Sheriffs ("Sindicos"), be handed to him, and serve as a letter of citizenship.

Regulations for the Formation of the Civic Register.

Chapter III.—*Of Civic Registration.*

Article 27. Any person who, in compliance with Articles 34 and 35 of the Constitution, may wish to be inscribed in the civic register, shall satisfy the Municipality of his district that :

1. He is in possession of a legal domicile.

3. He exercises some profession or industry, or is engaged in some lawful occupation.

In the former case the provisions of Article 44 and others of the Civil Code shall be held in view, and, in the latter instance, the presentation of the trade licence shall suffice.

Article 28. The party interested shall appear furnished with the documents aforesaid, the opinion of the Sheriffs and political authorities shall be heard, and the Municipality take a decision accordingly.

Article 29. In the event of the Petition being granted, the name of the party interested shall be entered in a special register signed by himself, and a certificate to the effect issued signed by the Mayor and Sheriffs, which shall serve as a letter of citizenship.

URUGUAY.

No. 33.

*Mr. Satow to the Earl of Rosebery.—(Received January 12, 1893.)*My Lord, Monte Video, December 20, 1892.

WITH reference to your Lordship's Circular despatch of the 13th October last, instructing me to forward, with as little delay as possible, copies and translations of the Laws in force in the Oriental Republic of the Uruguay relating to nationality and naturalization, I have the honour to inclose copies and translations of—

1. Articles 6 to 12 of the Constitution ;
2. The Law of 1874 regulating the issue of letters of citizenship ;
3. An Administrative Resolution deciding a case in practice ;
4. A Law suspending citizenship in certain cases ; together with—
5. Article 4 ; and

6. Articles 101 to 104, inclusive, of the Civil Code : which, on my applying to him for information, the Minister for Foreign Affairs was so good as to furnish to me.

To these I have appended a short Memorandum showing, as far as I have been able, the character of these various sources of jurisprudence in the matter, and the manner in which foreigners are affected. This has been submitted to two Uruguayan lawyers of distinction, who have expressed their approval of its contents as representing the actual state of the law of Uruguay.

I have, &c.
(Signed) ERNEST SATOW.

P.S.—To insure accuracy I have transmitted the copies of the Spanish text furnished to me by his Excellency the Minister for Foreign Affairs.

E. S.

Inclosure 1 in No. 33.

Memorandum on the Laws of Uruguay relating to Nationality and Naturalization.

THE existing law on these subjects is contained in paragraphs 6 to 12, inclusive, of the Constitution of the Republic, and the Statute of the 13th July, 1874, which came into force on the 20th of the same month. There is besides a "decision of a case in practice," dated the 15th July, 1882, of much inferior authority to the foregoing. Lastly, Articles 4, 101, 102, 103, and 104 of the Civil Code are considered to have some bearing more or less remote on the subject. There is also a Law suspending the exercise of citizenship in the case of Uruguayans acting as foreign agents in this country.

Copies and translations of all these documents accompany the present Memorandum.

The first remark that occurs to us on perusing the above-mentioned sections of the Constitution is that the authors of that document apparently attached more importance to citizenship, or effective membership of the body politic, than to nationality. An eminent Uruguayan authority on Constitutional law, Dr. J. J. Arechaga, at p. 96 of his work entitled "*La Libertad Política*," makes the following pertinent observations :—

"Our Constitution, in dealing with the conditions requisite for the acquisition and exercise of political rights, makes a lamentable confusion between citizenship and nationality, notwithstanding these are two separate and completely distinct kinds of status. Article 7 of the Constitution says: 'Natural citizens are all free men born anywhere within the territory of the Republic.' But as citizenship is a status characterized by the possession and exercise of political rights, as has been recognized by the

Constitution itself in providing by Article 9 that 'every citizen is a member of the sovereignty of the nation, and as such has an active and passive vote;' and as the possession and exercise of political rights are accorded by our Fundamental Code solely to those individuals, natives or naturalized, who are 20 years of age if unmarried, or 18 if married, and can both read and write, the Constituent Assembly, in framing Article 7 of the Constitution, undoubtedly committed a manifest mistake. All men born anywhere within the territory of the Republic are Orientals, but are not citizens as long as they do not possess the whole of the conditions of age and education required by the Fundamental Law of the Republic.

"They have also fallen into the same confusion in laying down in Article 8 the conditions required for obtaining legal citizenship.

"Children of an Oriental father or mother born abroad, without doubt acquire our nationality, that of being Orientals, from the moment they establish themselves in the country; but they do not acquire citizenship if they are women, or minors, or cannot read and write. Foreigners who have resided in our country for four years, and profess any science, art, or industry, or possess any capital employed in business, or real property, can obtain naturalization, but neither will they be citizens if they do not possess the whole of the conditions of age and education already mentioned. The same observation is applicable to all cases in which according to our Constitution a stranger may obtain naturalization."

The language of the 8th Article of the Constitution taken by itself would seem to imply that the rights of citizenship are thereby actually conferred upon all persons possessing the requisite qualifications, without leaving them any option of declining citizenship; in other words, that the 8th Article is imperative.

And this view was maintained by a Member of the House of Representatives in April last, on the introduction of a Bill for facilitating the admission of foreigners to citizenship on an extended scale, who observed that Article 8 of the Constitution clearly declares who are to be recognized as legal citizens, but that a Law promoted in 1853 by political partizanship used the phrase, "*shall be legal citizens*," whereas the Constitution says "*are*."

He added that during the sixty-two years that had elapsed since the promulgation of the Constitution, its provisions had never been complied with. The Bill proposed to recognize as citizens all the classes of persons mentioned in Article 8 of the Constitution, but permitted those who should come within these categories at the date of the promulgation of the Law, to refuse citizenship by making a declaration to that effect within twelve months before a local Justice of the Peace. It was referred to a Committee, who by a majority reported against it, one of the grounds on which they proposed its rejection being its obligatory character.

It would appear, therefore, that in the opinion of this Committee the 8th Article of the Constitution is not imperative, but only facultative. The same view seems to have been taken by the Legislature which passed the Law of 1853 (now abolished by the subsequent Law of 1874). Article 1 of the said Law provided that letters of naturalization ("*carta de naturalizacion*") were required in order to enter upon the exercise of legal citizenship ("*ciudadanía legal*"), and Article 2 that the individual who desired to obtain letters of naturalization should apply to the Stipendiary Judge ("*Juez Letrado*") of the place where he was domiciled, and bring proof that he possessed any of the qualifications required by Article 8 of the Constitution, and that he was 20 years of age, and could read and write. The Law of 1874, a translation of which is annexed, proceeds upon the same principle, providing that the person claiming to exercise the rights of a legal citizen shall apply to be registered as such.

An individual, therefore, who possesses any of the qualifications prescribed by the Constitution is potentially a citizen, and becomes one in fact by taking the necessary steps for registration. But until he is registered, as he possesses none of the distinctive rights, so he is not called upon to perform any of the distinctive duties, of a citizen; in other words, he is still regarded as a foreigner.

In apparent opposition to this view is the "decision of a case in practice" which forms Inclosure 4. In that document it is asserted that the petitioner was a legal citizen in virtue of Article 8 of the Constitution, being the son of a father born in the country, from the moment in which he established himself there; and *consequently subject to all the burdens imposed by citizenship*, his not having obtained letters of naturalization not sufficing for their avoidance.

It may be doubted, however, whether this "decision," which was an Administrative Decree of the then President, can be regarded as possessing any legal authority. The Judgments of Uruguayan Courts do not form binding precedents in law, and a Decree of

the Executive purporting to declare what the law is, would seem *à fortiori* not to be binding.

Of importance in connection with the main subject appear to be Article 4 of the Civil Code, which declares that Orientals domiciled in a foreign country remain subject to the laws of the Republic, firstly in all that concerns personal status and capacity to perform certain acts which are to take effect in the Republic (*e.g.*, the power of making a will purporting to dispose of property situated in the Republic), and in all that concerns obligations and rights which spring from family relations, but solely with respect to their Oriental husband or wife and relatives (*e.g.*, the obligation of mutual comfort and support); and also Articles 101 to 104, dealing with the legal effects of marriage and divorce.

There seems to be some doubt whether, by Oriental law, the wife is necessarily of the nationality of the husband. There is no enactment to that effect. The language of paragraph 8 of the Constitution, "children born abroad of a father or mother born in the country," seems to recognize the possibility of children having a mother of Oriental nationality, the father being a foreigner (it seems unlikely that the object of the clause was to provide for the case of illegitimate children of an Oriental mother), and Article 4 of the Civil Code is not inconsistent with the possibility of an Oriental woman having a husband of a different nationality. And this can only be if the Oriental woman marrying a foreigner retains her nationality.

On the other hand, cases have occurred where the Government has admitted diplomatic representations on behalf of an Oriental woman married to a foreigner, and this fact goes to show that, in practice, the rule of international law would be held to prevail.

[*Note.*—Nevertheless, the doctrine used to be taught at the University of Monte Video that an Uruguayan woman does not in any case lose her nationality.]

To sum up, it seems that foreigners can obtain letters of naturalization in Uruguay—

1. If they are fathers of children born in the country and were settled in Uruguay before the adoption of the Constitution on the 26th June, 1830. Of this category there can be but few left.

2. If they have fought as officers in the Uruguayan army or navy.

3. If they are married, and profess some art, science, or industry, or own capital employed in business, or real property, and have resided three years in the country;

4. If, being unmarried, and possessing either of the preceding qualifications, they have resided four years in the country;

5. By special Decree of the Assembly obtained for distinguished services or extraordinary merit.

Nationality is lost by naturalization in another country, and may be regained on application; but in the other cases enumerated in paragraph 12 of the Constitution it would seem that the political rights of a citizen alone, and not nationality, is forfeited.

[*Note.*—A critic to whom this was shown seemed to think that nationality was not lost, but only citizenship. To this it may be replied that absence from the country of itself deprives the citizen of his rights, and therefore it would be surplusage to say that naturalization in a foreign country deprived him of those rights.]

Nothing is explicitly said in the Uruguayan Constitution or Law with regard to the nationality or naturalization of women or minors. There is no provision for a declaration of alienage by a natural-born Oriental, who at the time of his birth became under the Law of any other State a subject of such State.

Neither does the Law say anything with respect to the protection of a naturalized or native-born Uruguayan citizen, who, by the Laws of another State, is a subject or citizen of that State when within the limits of that State.

The legal or naturalized citizen is made equal to the native-born citizen in nearly all respects, except that he cannot become President of the Republic.

Inclosure 2 in No. 33.

*Constitution of the Oriental Republic of the Uruguay.*Section 2.—*Of Citizenship, its Rights, how it is suspended or lost.*

Chapter I.

(Translation.)

6. CITIZENS of the Oriental State of the Uruguay are either natural or legal.

7. Natural citizens are all free men born anywhere within the territory of the State.

8. Legal citizens are—

Foreigners being fathers of natural citizens, and established in the country previous to the establishment of this Constitution.

Children born abroad of a father or mother born in the country, from the moment they establish themselves in the State.

Foreigners who, in the character of officers, have fought or shall hereafter fight in the land or sea forces of the nation.

Foreigners, although without children, or with foreign children, but married to women of the country, who, professing any science, art, or industry, or possessing any capital employed in business, or real property, are residing in the State at the moment when this Constitution is sworn.

Foreigners married to foreign women, and possessing any of the qualifications just mentioned, with three years' residence in the State.

Unmarried foreigners possessing any of the said qualifications, and four years' residence.

Those who may obtain a special grace from the Assembly for special services or eminent merits.

Chapter II.

9. Every citizen is a member of the sovereignty of the nation, and, as such, has an active and passive vote in the cases and in the form which will be stated further on.

10. Every citizen may be called to the discharge of public appointments.

Chapter III.

11. Citizenship is suspended—

(1.) By reason of physical or moral incapacity, which prevents free and deliberate action.

(2.) By reason of a position as servant earning wages, day labourer, ordinary soldier of the line, notorious vagrancy, or having been subjected to a criminal prosecution which might result in corporal punishment, or one involving infamy.

(3.) By reason of being under 20 years of age, unless married since the age of 18.

(5.) By reason of being unable to read or write, in the case of those who shall enter upon the exercise of citizenship from the year 1840 and onwards.

(6.) By reason of being a defaulting debtor, declared to be such by a Judge having jurisdiction.

(7.) By reason of indebtedness to the Public Treasurer, and being declared to be in default.

Chapter IV.

12. Citizenship is lost—

(1.) By a Judgment imposing a sentence involving infamy.

(2.) By reason of a fraudulent bankruptcy declared to be such.

(3.) By reason of naturalization in another country.

(4.) By reason of having accepted employment, distinctions, or titles from another Government without special permission of the Assembly; but rehabilitation may be applied for and obtained in either of these four cases.

Inclosure 3 in No. 33.

Law of July 13, 1874, regulating the application of Article 8 of the Constitution.

(Translation.)

THE Senate and Chamber of Representatives of the Republic, &c., decree:—

Article 1. Foreigners who, in the character of officers, have fought or shall hereafter

fight in the armies of the Republic are legal citizens, in conformity with what is established by Article 8 of the Constitution.

Art. 2. In order to exercise their citizenship, they shall prove the fact of having served in the character of officers in the armies of the Republic, by the despatches which authenticate their services, presenting them at the Ministry of the Interior ("Secretaría de Gobierno"), where their names shall be registered in a register kept for the purpose, and entitled "Register of Legal Citizens."

Art. 3. The children of fathers or mothers born in the country are likewise natural citizens, in conformity with what is established by Article 8 of the Constitution quoted, from the moment of establishing themselves in it.

Art. 4. The circumstance mentioned in the preceding Article shall be authenticated by the baptismal certificate of the father or mother, and its presentation at the Ministry of the Interior, where the name of the individual who thus authenticates his legal citizenship shall be registered.

Art. 5. In the cases contemplated in the preceding Articles, if on application being made for registration as citizen, or if after thirty days have elapsed since the publication of a registration, it be impugned as illegal, no matter what may be the cause invoked, the Judge of the locality where the registered person is domiciled shall try the dispute expeditiously and summarily.

Art. 6. If, after the lapse of the period referred to in the preceding Article, an action should be brought to declare the falseness of the documents on which the registration was based, in that case the ordinary Criminal Justice shall try the action brought, on the prosecution of the private party or of the Attorney-General ("Ministerio Fiscal"), the registration being allowed to subsist until final judgment.

Art. 7. Other foreigners to whom Article 8 of the Constitution refers, and who desire to take up their citizenship, shall apply to the Judge of the place where they are domiciled, where there is a Stipendiary Judge ("Juez Letrado"), or to the Justice of the Peace ("Alcade Ordinario") in his place, requesting that, after hearing the Attorney-General ("Fiscal") or his Substitute ("Procurador-Fiscal") in his place, he may be allowed to prove that he possesses any of the qualifications required by Article 8 of the Constitution of the State.

Art. 8. When evidence has been given on the record expeditiously and summarily, the Judge shall declare whether the petitioner possessess all the legal conditions which he has claimed, granting, when giving his decision, leave to appeal or other legal remedy.

Art. 9. When the Decree in which the petitioner is recognized to possess any of the conditions prescribed in Article 8 of the Constitution shall have become authoritative as *res judicata*, it shall be communicated to the Minister of Government for registration in the Register of Legal Citizens.

Art. 10. At the end of each month shall be published in the newspapers a list of those who have been registered in the said Register.

Art. 11. The proceedings taken in order to obtain letters of citizenship shall not carry any costs.

Art. 12. Public employments shall be discharged by natural or legal citizens in conformity with the provisions of the law. Are excepted: employments involving scientific or professional functions not pertaining to the Magistrature, which may be discharged by citizens or foreigners indiscriminately. Employment as teacher, or any person charged with school instruction, is included in this exception.

Art. 13. When registration as legal citizen has been obtained, letters of citizenship shall be issued.

Art. 14. The Executive Power shall frame rules under the present Law.

Art. 15. All Laws which are in contradiction to the present Law are hereby repealed.

Art. 16. Let it be communicated, &c.

(Signed) VELAZCO.

(Signed) ESTANISLAO B. DURAN,
Secretary.

Sessions Hall, Monte Video, July 13, 1874.

Let it be executed, &c.

Monte Video, July 20, 1874.

[Signature of his Excellency.]
(Signed) ALVAREZ.

Inclosure 4 in No. 33.

Decision of a Case in Practice.

(Translation.)

Ministry of Government, Monte Video, July 15, 1882.

WITH regard to what has been shown by Doctor Don Carlos Maria Ramirez applying for letters of citizenship, and considering that, according to Article 8 of the Constitution, he is a legal citizen, being the son of a father born in the country, from the moment in which he established himself there, and consequently subject to all the burdens imposed by citizenship, his not having obtained letters of naturalization not sufficing for their avoidance, the formalities of the Law of the 4th June, 1853 (repealed), modified by Article 4 of that of the 20th July, 1874, having been fulfilled, he can consequently on this ground properly call himself an Oriental citizen;

Considering that letters of naturalization, being required solely of those who claim to enjoy the benefits accorded by citizenship, are issued in the case of individuals established in the country, being children of an Oriental father or mother, as soon as this latter circumstance was authenticated by the mere production of the certificate of baptism; and that it has been the practice, even before the promulgation of the Law of 1874, for the public authorities to dispense with this formality for persons who were manifestly in a position to comply with it, permitting and even sharing in their elevation to lofty positions which can only be occupied by citizens;

Considering that, although this practice may not be regular, it is not reasonable to demand letters of naturalization, even for the active exercise of citizenship, from those who have held high public employment, like that of Minister Plenipotentiary, which only citizens and those appointed with the concurrence of the Honourable Senate can do, a circumstance which also favours military men of high grade, since this fact shows in the most authentic manner the willingness of the individual to choose Oriental nationality, as well as that of the State to receive him as one of its members, it being also to be observed, with regard to Doctor Ramirez, that he has represented the Republic in the Empire in whose territory he was born:

It is hereby declared that, in the judgment of the Government, the law has been complied with so far as it requires that the willingness of the legal citizen be manifested by the act of authenticating his right to naturalization; that Doctor Don Carlos Ramirez, and others in like case, need no letters of citizenship in order to exercise it in all its plenitude as legal citizens, without prejudice to issuing them to him, if he insists on applying for them.*

Give a certificated copy, publish, and put away in the archives after affixing the stamp.

(Signed)

SANTOS.

JOSÉ L. TERRA.

Inclosure 5 in No. 33.

Suspension of Citizenship in the case of those who are serving as Foreign Agents in the Republic.

(Translation.)

THE Senate and Chamber of Representatives of the Republic, &c.,

Decree:

Article 1. Citizens of the Republic who serve as Agents of other nations in the Republic, shall not be able to exercise at the same time either public appointments or functions, even of a municipal character, nor be nominated therefor, nor have an active or passive vote in public elections, as long as they continue to be Agents of foreign Governments.

Art. 2. They are exempt from all merely personal charges from which foreign Agents not being citizens ought to be exempt.

Art. 3. As regards the enjoyment of other characteristics of citizenship, and th

* The petitioner having insisted, letters of citizenship were issued to him, and were registered in the appropriate register.

payment of contributions (taxes), they are considered to be on the level of other citizens.

Art. 4. Let it be communicated, &c.

(Signed) ALEJANDRO CHUCARRO, *Speaker*.
(Signed) PABLO OLLONIEGO, *Secretary*.

Sessions Hall, Monte Video, July 11, 1839.

Let it be observed, &c.

Monte Video, July 17, 1839.

(Signed)

RIVERA.
JOSÉ ELLAURI.

Inclosure 6 in No. 33.

Civil Code of the Republic.

(Translation.)

ARTICLE 4. Orientals resident or domiciled in a foreign country shall remain subject to the laws of the Republic; firstly, in all that concerns personal status and capacity to perform certain acts which are to take effect in the Republic; secondly, in obligations and rights which spring from family relations, but solely with respect to their Oriental husband or wife (spouses) and relatives.

Inclosure 7 in No. 33.

Civil Code of the Republic.

Section IV.—*Concerning Marriages performed or dissolved in a Foreign Country.*

(Translation.)

ARTICLE 101. A marriage performed in a foreign country, in conformity with the laws of that country or with those of the Republic, shall produce in the latter the same civil effect as if it had been contracted on Oriental territory.

Art. 102. If an Oriental man or woman contract a marriage in a foreign country, in any wise contravening the laws of the Republic, the contravention will produce in the latter the same effect as if it had been committed in the Republic.

Art. 103. A marriage dissolved in foreign territory in conformity with the laws of that country, but which could not have been dissolved according to the laws of the Republic, does not enable either of the parties to marry in the Republic as long as the other party is alive.

Art. 104. A marriage which according to the laws of the country where it was contracted might be dissolved there, cannot, notwithstanding, be dissolved in the Republic, except in conformity with its laws.

HAWAIIAN ISLANDS.

No. 34.

Major Wodehouse to the Earl of Rosebery.—(Received January 23, 1893.)

My Lord,

Honolulu, December 30, 1892.

IN compliance with the instructions contained in Circular despatch of the 13th October, from your Lordship, I have the honour herewith to transmit a copy of the Law in force at this time in this kingdom relating to nationality and naturalization, by which your Lordship will observe that the exact effect of the Law as regards foreigners is, "That every foreigner naturalized according to the provisions of sections 429, 430, and 431 shall be deemed to all intents and purposes a native of the Hawaiian Islands, be amenable only to the laws of this kingdom, and to the authority and control thereof, be entitled to the protection of said laws, and be no longer amenable to his native Sovereign while residing in this kingdom, nor entitled to resort to his native country for protection or intervention, and he shall be entitled to all the rights, privileges, and immunities of an Hawaiian subject."

In May 1884 the opinion of the Justices of the Supreme Court was asked by the Legislative Assembly as to the allegiance of "aliens and denizens."

Two Resolutions passed by the Assembly were transmitted to the Judges for their opinion thereon—

"1. Whereas there are employed, as Secretaries in the Foreign Office and the Board of Health, Mr. Wobb and Mr. Parker, who have not taken the oath of allegiance, and who are drawing pay from the public Treasury, therefore be it—

"*Resolved*,—That the Justices of the Supreme Court be requested to state their opinion whether the appointment and drawing of pay by those two persons is in accordance with the laws as they now exist.

"2. *Resolved*,—That the Justices of the Supreme Court be requested to express their opinion on the following question:

"Is it lawful for an alien, to whom letters of denization have been granted, to be appointed to an office of profit or emolument under the Government of this kingdom, without taking and subscribing the oath of allegiance in the manner and form prescribed by sections 430 and 431 of the Civil Code?"

The answer to the first question is, "That an alien cannot hold an office of profit or emolument under the Government without taking the oath of allegiance. He must, before entering on the duties of his office, take and subscribe the oath of allegiance in the manner and form prescribed by sections 430 and 431 of the Civil Code." This Law is still in force.

With regard to the second Resolution, whether it is lawful to appoint an alien upon whom Letters Patent of denization have been conferred to an office of profit or emolument under the Government, without taking the oath of allegiance, section 433 of the Civil Code is the entire authority for the conferring of "Letters Patent" of denization. It reads as follows:—

"It shall be competent for His Majesty to confer upon any alien resident abroad, or temporarily resident in this kingdom, Letters Patent of denization, conferring upon such alien, without abjuration of allegiance, all the rights, privileges, and immunities of a native. Said Letters Patent shall render the denizen in all respects accountable to the laws of this kingdom, and impose upon him the like fealty to the King as if he had been naturalized as hereinbefore provided."

The Court therefore holds "that Letters Patent of denization from the King, conferring upon an alien, without abjuration of allegiance, all the rights, privileges, and immunities of a native, place the recipient in the status of a subject, and it is not therefore requisite that he take the oath of allegiance as a condition of his holding an office of profit or emolument under this Government."

I may add that, by Article 62 of the Constitution of the 7th July, 1887, "every male resident of this kingdom, of Hawaiian, American, or European birth and descent,

who shall have taken an oath to support the Constitution and Laws in the manner provided for the electors of nobles, and shall have fulfilled the conditions of age, payment of taxes, &c., shall be entitled to one vote for the representative or representatives of the district in which he has been domiciled."

I have, &c.

(Signed) JAMES H. WODEHOUSE.

Inclosure in No. 34.

CIVIL CODE.

Article 8.—*Naturalization of Foreigners.*

Section 429. The Minister of the Interior, by and with the consent of the Cabinet, may, in their discretion, upon the application of any alien or foreigner, who shall have resided within the kingdom two years or more next preceding such application, stating his intention to become a permanent resident of the kingdom, administer, or cause to be administered, the oath of allegiance to such foreigner, and cause such foreigner to subscribe thereto, provided such foreigner is not a pauper, nor a refugee from the justice of some other country.

If such applicant shall be a resident of any island other than Oahu, he may, after the Cabinet shall have approved of his application, take the oath of allegiance before any Judge of a Court of Record, which Judges are hereby authorized to administer such oaths.

Sec. 430. The oath of allegiance to be administered as aforesaid shall be as follows :—

The Undersigned, a native of _____, lately residing at _____, being duly sworn upon his oath, declares that he will support the Constitution and Laws of the Hawaiian Islands, and bear true allegiance to His Majesty _____ the King. Subscribed and sworn to, this _____ day of _____, A.D. 18 _____, before me.

Sec. 431. The oath of allegiance shall always be subscribed by the person so naturalized, be sworn to in the form most obligatory upon his conscience, and the jurat thereof shall be subscribed by the Minister of the Interior, or his chief clerk.

Sec. 432. Every foreigner so naturalized shall be deemed, to all intents and purposes, a native of the Hawaiian Islands, be amenable only to the laws of this kingdom, and to the authority and control thereof, be entitled to the protection of said laws, and be no longer amenable to his native Sovereign while residing in this kingdom, nor entitled to resort to his native country for protection or intervention. He shall be amenable, for every such resort, to the pains and penalties annexed to rebellion by the Criminal Code. And every foreigner so naturalized shall be entitled to all the rights, privileges, and immunities of an Hawaiian subject.

Sec. 433. It shall be competent for His Majesty to confer upon any alien resident abroad, or temporarily resident in this kingdom, Letters Patent of denization, conferring upon such alien, without abjuration of allegiance, all the rights, privileges, and immunities of a native. Said Letters Patent shall render the denizen in all respects accountable to the laws of this kingdom, and impose upon him the like fealty to the King as if he had been naturalized, as hereinbefore provided.

CHINA.

No. 35.

Mr. O'Connor to the Earl of Rosebery.—(Received January 23, 1893.)

My Lord,

Peking, December 6, 1892.

I HAVE the honour to acknowledge the receipt of your Lordship's Circular of the 13th October last, instructing me to forward, with as little delay as possible, copies and translations of the Laws in force in China relating to nationality and naturalization.

In reply, I have the honour to report to your Lordship that the only written Laws in force in this country are contained in what is known as the Penal Code, but the question of nationality or naturalization does not come within the scope of this work. One of its sections provides, it is true, that "all foreigners who come to submit themselves to the Government of the Empire shall, when guilty of offences, be tried and sentenced according to the established Laws;" but although practical effect was given to this provision on several occasions during our earlier intercourse with China, it has become a dead letter since the Treaties of 1842, which secured to foreigners the enjoyment of extraterritorial rights in China. No foreigner, as far as I am aware, has ever formally accepted Chinese nationality, and Naturalization Laws do not exist. The nearest approach to anything of the kind in China consists of certain formalities, compliance with which enables a native of one province to change his domicile and retain certain rights, notably that of competing at the public examinations, in another province.

Formerly, China did not concede to her subjects even the right of emigration, much less the liberty of divesting themselves of their natural allegiance, but these restrictions have undergone considerable modification in recent years, and there is a considerable number of persons of the Chinese race born in British Possessions of parents who were themselves either naturalized or born British subjects, who are considered and treated as British subjects in China. In order to secure the enjoyment of British protection while residing in Chinese territory, such persons are obliged, under the Regulation issued by Sir R. Alcock in 1868, to discard the Chinese costume, and adopt some other dress or costume whereby they may readily be distinguished from the native population.

In December 1880 the Chinese Foreign Office issued instructions, translation of which I have the honour to inclose, in accordance with which a Chinese woman marrying a foreigner is held to come under the jurisdiction of the country to which her husband belongs. There was no necessity, it was stated, of passing any special Law on the subject.

I have, &c.

(Signed) N. R. O'CONOR.

Inclosure in No. 35.

The Taotai of Ichang to Consul Everard.

(Translation.)

Sir,

Ichang, January 4, 1881.

I HAVE the honour to inform you that on the 24th December last the Viceroy for this province notified me of certain instructions communicated to him on the 12th December by the Minister Superintendent of Trade for the Northern Ports, Li.

According to these instructions the Minister Superintendent had written to the Tsung-li Yamên, saying that the Tien-tsin Customs Taotai reported the receipt of a note from the British Consul, of which he inclosed copy, inquiring what would be the nationality of a Chinese woman who married a foreigner. The Taotai begged that a

decision might be given on this point for his guidance, and the Minister desired to refer the question to the Yamên.

On the 27th November the Tsung-li Yamên replied for the information of the inquirer that intermarriage between Chinese and foreigners had never been prohibited; and, in accordance with the opinion expressed by the Minister Superintendent that a woman should follow her husband, the Yamên held that whenever a Chinese woman marries a foreigner she should naturally come under the jurisdiction of her husband's country; there was no need to pass a special Law. This the Yamên considered the proper way of dealing with the question.

In accordance with the orders of his Excellency the Viceroy, I am communicating these instructions to my colleagues concerned for their information and guidance. I have at the same time to address you this despatch, and I am writing similarly to the Consul for the United States.

I have, &c.
[Seal of Taotai.]

JAPAN.

No. 36.

Mr. de Bunsen to the Earl of Rosebery.—(Received February 7, 1893.)

My Lord,

Tókió, December 29, 1892.

WITH reference to your Lordship's Circular despatch dated the 13th October, I have the honour to transmit to your Lordship herewith a translation of the only Law at present in force in Japan affecting nationality, viz., a set of Regulations governing marriages of Japanese subjects with aliens.

Under these Regulations, a Japanese woman marrying a foreigner necessarily forfeits her Japanese nationality, whereas a foreign man or woman marrying a Japanese subject is allowed to acquire Japanese nationality under certain conditions.

The whole subject is dealt with in the new Japanese Civil Code, and though the operation of the Code has now been postponed till the 31st December, 1896, I inclose herewith, as showing the tendency of Japanese legislation, a translation of the Section of Persons, in three parts.

Part I enumerates the various titles to Japanese nationality, and prescribes the course to be pursued by certain categories of persons, such as children born of an alien father and a Japanese mother, and children born in Japan of parents both of whom are aliens, who may elect to assume Japanese nationality. It also compels an alien woman married to a Japanese subject to become Japanese, whereas, under the above-mentioned Regulations, the change of nationality is only permissive.

Naturalization of aliens is to be allowed subject to forms and regulations to be determined by a special law. A translation of a Bill submitted to the last Japanese Chambers with this intention in 1891 is likewise inclosed herewith, though its progress was arrested by the dissolution, and no Bill of the kind has as yet been introduced in the new Parliament.

Part II of the Section of Persons of the Civil Code deals with forfeiture and recovery of Japanese nationality, and Part III with the procedure to be adopted on changing nationality.

I have, &c.
(Signed) M. DE BUNSEN.

Inclosure 1 in No. 36.

Notification No. 103 of the 14th March, 1873.

(Translation.)

HENCEFORTH marriages with foreigners are permitted, and the following Regulations are established. The above is notified:—

1. A Japanese subject wishing to marry a foreigner must obtain the permission of the Japanese Government.

2. A Japanese woman marrying a foreigner shall lose her nationality. Should such person desire for some reason to recover her original status, she may receive permission to do so.

3. A foreign woman marrying a Japanese subject may, in accordance with Japanese law, acquire Japanese nationality.

4. A Japanese woman marrying a foreigner shall not be permitted to hold real estate, even though such real estate may have been her own property (previous to marriage). There is, however, no objection to her owning money and movable property, provided such ownership is not contrary to regulations established by the Japanese Government.

5. A Japanese woman marrying and adopting a foreign husband must also obtain the permission of the Japanese Government.

6. A foreigner adopted through marriage by a Japanese subject may, in accordance with Japanese law, acquire the status of a Japanese subject.

7. Japanese subjects, wishing to marry foreigners abroad, must apply for permission to the Japanese Minister or Consul resident in the country in question, or in a neighbouring country. The Minister or Consul shall, after granting permission, report the facts to the Japanese Government.

Inclosure 2 in No. 36.

Law No. 98 of the 6th October, 1890.

CIVIL CODE.—SECTION OF PERSONS.

Chapter II.—*Japanese Nationality.*

PART I.—*Title to Japanese Nationality.*

(Translation.)

§ 7. THE child of Japanese parents, although born abroad, is a Japanese subject. If the status of the father and mother be different, that of the father determines the status of the child. If the father be unknown, the status of the child follows that of the mother. If both father and mother be unknown, the child is held to be a Japanese subject, if born in Japan; if the place of birth of such child be unknown, residence in Japan constitutes such child a Japanese subject.

§ 8. Under any of the circumstances specified below, a child may elect Japanese nationality—

(1.) Where the mother is Japanese, although the father be an alien.

(2.) Where the child of alien parents was born in Japan.

(3.) Where the child of parents who have lost the status of Japanese subjects shall have been born subsequently to the loss of such status.

(4.) In the case of an adult, being the child of naturalized parents.

§ 9. Persons desirous of electing Japanese nationality are required to notify such desire within one year of the time of attaining their majority according to the law of their country, and to become domiciled in Japan within one year after such notice.

In the case of persons having attained their majority, who are the illegitimate children of alien parents and are acknowledged by them, or who are the children of naturalized parents, such notice may be given within one year of such acknowledgment by, or naturalization of, their parents.

§ 10. An alien woman on contracting a marriage with a Japanese subject acquires the status of a Japanese subject, and retains that status even after dissolution of the marriage.

§ 11. Aliens may acquire the status of Japanese subjects by naturalization. The requisite regulations and forms shall be determined by a special law.

The wife of a naturalized person and their child, being a minor, if domiciled in Japan, acquire the status of Japanese subjects.

PART II.—*Forfeiture and Recovery of Japanese Nationality.*

§ 12. A Japanese subject loses his status as such under the following circumstances:—

(1.) On assuming the status of a subject of a foreign State of his own free will.

(2.) On entering the service of a foreign Government, or the army of a foreign State, without the sanction of the Japanese Government.

§ 13. Persons having lost the status of Japanese subjects under the circumstances specified in the preceding clause who are desirous of recovering such status shall be reinstated if they, having previously obtained the consent of the Japanese Government thereto, return to Japan, and having notified their desire to that effect become domiciled in Japan within one year.

§ 14. The wife of a person who shall have lost his status as a Japanese subject, and their child, being a minor, shall, unless they continue to reside in Japan, forfeit their Japanese nationality: provided that Japanese nationality is recoverable by such wife under the provision contained in the second clause of § 15, and by such child, being a minor, under the provision contained in the first clause of § 9.

§ 15. A Japanese woman who shall have contracted a marriage with an alien thereby loses the status of a Japanese subject. Upon the dissolution of such marriage, however, she recovers her nationality, if resident in Japan, or, if she returns to Japan, upon notifying the fact of having become domiciled in Japan.

PART III.—*Procedure requisite to, and Validity of, a Change of Nationality.*

§ 16. Notice of a change of nationality must be given in Japan to the authorities concerned, with personal matters at the place of the applicant's domicile, or at a Japanese Legation or Consulate abroad.

§ 17. No validity attaches to a change of nationality retrospectively.

§ 18. Nationality is determined from the time of birth; but if a change in the nationality of the father or mother takes place during the period between the conception and birth of the child, such child in the event only of residence in Japan retains its Japanese nationality.

Inclosure 3 in No. 36.

Extract from the "Japan Mail" of January 2, 1892.

NATURALIZATION BILL.

ARTICLE 1. Any foreigner possessing the following qualifications may apply to be naturalized as a subject of the Empire of Japan:—

(1.) He must be of age according to the laws of his country and of Japan, and must be competent to control property.

(2.) He must be of good character.

(3.) There must not be any obstacle to his earning a livelihood and maintaining his household.

(4.) He must have lived in Japan for a consecutive period of ten years previous to his application to be naturalized, and must have the intention of living there subsequently.

(5.) He must have reported, to the officer in charge of personal matters at his then place of residence, his intention of becoming naturalized two years previous to presenting his application for naturalization.

Art. 2. Any foreigner who, in addition to the qualifications enumerated in Article 1, sections 1, 2, and 3, has lived in Japan for over a year, and intends to live there subsequently, may apply for naturalization if he falls within any of the following categories:—

(1.) Any foreigner who has rendered meritorious service to the Empire of Japan, or served in the army or navy for over one year.

Any foreign officer who has served on a Japanese man-of-war shall be considered as having lived in the country. But it is necessary for him to be residing in the country of Japan at the time of application for naturalization.

(2.) Any foreigner who has invented or transmitted any invention useful to the Empire of Japan, or has achieved some noteworthy improvement in her agriculture, industries, commerce, science, or arts.

(3.) Any foreigner who comes under the provisions of Article 8 of the Law of Persons in the Civil Code, and has allowed the time to lapse when he could avail himself of the right of choice.

Art. 3. Absence from the Empire of Japan for a period of less than six months shall not be deducted from the term specified in Article 1, section 4. If the absence exceeds six months, but does not exceed two years, such period of absence shall be deducted, though previous and subsequent residence may be counted. This provision shall not apply to any person whose absence from the Empire is caused by some public business intrusted to him by the Japanese Government, or who is serving on board a merchant-vessel of Japan.

Art. 4. The wife or children of a person who, having reported his intention of being naturalized in accordance with Article 1, section 5, has died before becoming naturalized, may apply for naturalization two years after the date of the transmission of the deceased's application, provided they are residing in the country and possess the qualifications enumerated in Article 1, sections 1, 2, and 3. The time of residence of the deceased may be counted to make up the term mentioned in Article 1, section 4.

Art. 5. An application for naturalization must be made in writing, and must set forth the nationality, name, occupation, age, and address of the applicant, together with the name and occupation of his parents; it must also say whether he is married, and whether he has children, and, if so, their present place of residence must be given. To this application two subjects of the Empire of Japan must affix their names as witnesses, and the application must be accompanied by documents establishing the applicant's qualifications.

Art. 6. The name and age of persons (wife and children) acquiring the right of becoming Japanese subjects, together with the applicant, must be stated in the application for naturalization in accordance with the provisions of Article 11, section 2, of the Law of Persons in the Civil Code.

Art. 7. An application for naturalization must be presented to the Minister of State for Home Affairs through the Governor of the Prefecture where the applicant is residing, after obtaining the indorsement of the local official in charge of personal matters. The Minister of State for Home Affairs shall submit the application to the Emperor for His Majesty's decision, after making the necessary investigation as to the character and other qualifications of the applicant. When an application for naturalization has been sanctioned, the Minister of State for Home Affairs shall hand a certificate of naturalization to the applicant through the local Governor.

Art. 8. The certificate of naturalization shall not be given unless it is clearly proved that the applicant has surrendered the citizenship of his own country, in accordance with the laws of that country, in order to become a Japanese subject, or unless it be proved that he is not registered as the citizen of any country.

Art. 9. When an application for naturalization is not sanctioned, such application shall be returned. But no reasons need be stated in returning it.

Art. 10. In the certificate of naturalization the name and age of person or persons naturalized, together with the applicant, shall be stated.

Art. 11. The certificate of naturalization shall be handed to the applicant by the local Governor personally. At the time of handing the certificate to him, the applicant shall be required to make declaration of the following two matters in the presence of the local Governor, such declaration to be written out and signed by the applicant:—

(1.) That he will discharge the duties of a Japanese subject.

(2.) That he renounces all official positions, ranks, and other honorary titles of foreign countries. But scientific or artistic titles, or decorations awarded by the Japanese Government, are excepted. Naturalization shall take effect from the day on which the above statements are made.

Art. 12. Any person whose application has been rejected shall not be permitted to lodge another application until he shall have resided in the country for a year from the date of the above rejection.

Art. 13. The wife and children under age of a person naturalized, whose names have not been mentioned in the certificate of naturalization owing to their absence from the country, or have been by error omitted, though they were resident in it, if they desire subsequently to obtain the qualifications of Japanese subjects, must report the fact in writing to the local official in charge of personal matters, the names of two subjects of Japan being appended as witnesses, and the report being accompanied by documents proving their qualifications.

Art. 14. A person who has obtained the qualifications of a Japanese subject by naturalization shall not be permitted to become either a Minister of State, a Privy Councillor, a General, or an Admiral.

Art. 15. Any person who has obtained the qualifications of a Japanese subject by naturalization shall not be permitted to become a member of the Diet until after the lapse of ten years from the date of his naturalization.

Art. 16. Any person who has obtained the qualifications of a Japanese subject by naturalization shall acquire all the rights and privileges appertaining to Japanese subjects except in so far as provisions to the contrary may be determined by law.

Art. 17. Any person who, having obtained the qualifications of a Japanese subject by naturalization, or by being the wife of a person naturalized, subsequently loses such qualifications, shall not reacquire them unless proper application is again made.

Art. 18. The present Law shall come into force from the 1st day of the 1st month of 26th year of Meiji (1st January, 1893).

Art. 19. The Minister of State for Home Affairs shall issue all the necessary orders and instructions for the carrying out of the present Law, and shall determine proper fees and levy them from the applicant.

PERSIA.

No. 37.

Sir F. Lascelles to the Earl of Rosebery.—(Received December 26.)

My Lord,

Tehran, November 24, 1892.

IN reply to your Lordship's Circular despatch of the 13th ultimo, I have the honour to state that there are no Laws in Persia relating to nationality or naturalization.

I have, &c.

(Signed) FRANK C. LASCELLES.

SIAM.

No. 38.

Captain Jones to the Earl of Rosebery.—(Received January 9, 1893.)

My Lord,

Bangkok, November 24, 1892.

WITH reference to the Circular, dated Foreign Office, 13th October, 1892, requesting the transmission of copies and translations of the Laws in force in Siam relating to nationality and naturalization, I have the honour to report to your Lordship that the laws of Siam make no reference whatever to these subjects.

I have, &c.

(Signed) HENRY M. JONES.

NATIONALITY AND NATURALIZATION.

REPORT

FROM

HER MAJESTY'S AMBASSADOR AT PARIS

RESPECTING THE

MODIFICATION OF THE FRENCH LAW ON
NATIONALITY.

[In continuation of "Miscellaneous No. 3 (1893)."]

*Presented to both Houses of Parliament by Command of Her Majesty.
August 1893.*

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NATIONALITY AND NATURALIZATION.

Report from Her Majesty's Ambassador at Paris respecting the Modification of the French Law on Nationality.

[In continuation of "Miscellaneous No. 3 (1893)."]

The Marquis of Dufferin to the Earl of Rosebery.—(Received July 24.)

My Lord,

Paris, July 23, 1893.

WITH reference to my despatch of the 18th November last,* I have the honour to inclose herewith to your Lordship, extracted from the "Journal Officiel" of this day, the promulgation by the President of the Republic of a Law modifying Article 8, 3rd paragraph, and Article 9 of the "Code Civil" relative to the declarations to be made by foreigners with a view of acquiring or declining French nationality.

It will be observed that, as the amended paragraph of Article 8 now stands, a foreigner whose mother was born in France can refuse French nationality within one year after attaining his majority.

I have, &c.

(Signed) DUFFERIN AND AVA.

Inclosure.

Extract from "Journal Officiel" of July 23, 1893.

Loi portant modification de l'Article 8, paragraphe 3, et de l'Article 9 du Code Civil relativement aux déclarations effectuées en vue d'acquérir ou de décliner la Nationalité Française.

LE Sénat et la Chambre des Députés ont adopté,

Le Président de la République promulgue la Loi dont la teneur suit :—

Article 1^{er}. Le paragraphe 3 de l'Article 8 du Code Civil est ainsi modifié :

"Est Français

* * * * *

"3. Tout individu né en France de parents étrangers dont l'un y est lui-même né ; sauf la faculté pour lui, si c'est la mère qui est née en France, de décliner, dans l'année qui suivra sa majorité la qualité de Français, en se conformant aux dispositions du paragraphe 4 ci-après.

"L'enfant naturel pourra, aux mêmes conditions que l'enfant légitime, décliner la qualité de Français quand le parent qui est né en France n'est pas celui dont il devrait, aux termes du paragraphe 1, deuxième alinéa, suivre la nationalité."

Art. 2. Les individus auxquels l'Article 8, paragraphe 3 modifié, réserve la faculté de réclamer la qualité d'étrangers et qui auront atteint leur majorité à l'époque de la promulgation de la présente Loi, pourront réclamer cette qualité en remplissant les conditions prescrites dans le délai d'un an à partir de cette promulgation.

Art. 3. L'Article 9 du Code Civil est modifié ainsi qu'il suit :

* See "Miscellaneous (No. 3) 1893," p. 44.

"Tout individu né en France d'un étranger et qui n'y est pas domicilié à l'époque de sa majorité pourra, jusqu'à l'âge de 22 ans accomplis, faire sa soumission de fixer en France son domicile, et, s'il l'y établit dans l'année à compter de l'acte de soumission, réclamer la qualité de Français par une déclaration qui sera, à peine de nullité, enregistrée au Ministère de la Justice.

"L'enregistrement sera refusé s'il résulte des pièces produites que le déclarant n'est pas dans les conditions requises par la loi, sauf à lui à se pourvoir devant les Tribunaux Civils, dans la forme prescrite par les Articles 855 et suivants du Code de Procédure Civile.

"La notification motivée du refus devra être faite au réclamant dans le délai de deux mois à partir de sa déclaration.

"L'enregistrement pourra en outre être refusé, pour cause d'indignité, au déclarant qui réunirait toutes les conditions légales; mais, dans ce cas, il devra être statué, le déclarant dûment avisé, par Décret rendu sur l'avis conforme du Conseil d'État, dans le délai de trois mois à partir de la déclaration, ou, s'il y a eu contestation, du jour où le Jugement qui a admis la réclamation est devenu définitif.

"Le déclarant aura la faculté de produire devant le Conseil d'État des pièces et des Mémoires.

"A défaut des notifications ci-dessus visées dans les délais susindiqués, et à leur expiration, le Ministre de la Justice remettra au déclarant, sur sa demande, une copie de sa déclaration, revêtue de la mention de l'enregistrement.

"La déclaration produira ses effets du jour où elle aura été faite, sauf l'annulation qui pourra résulter du refus d'enregistrement.

"Les règles relatives à l'enregistrement prescrites par les paragraphes 2 et 3 du présent Article sont applicables aux déclarations faites en vue de décliner la nationalité Française, conformément à l'Article 8, paragraphes 3 et 4, et aux Articles 12 et 18.

"Les déclarations faites, soit pour réclamer, soit pour décliner la qualité de Français, doivent, après enregistrement, être insérées au 'Bulletin des Lois.' Néanmoins, l'omission de cette formalité ne pourra pas préjudicier aux droits des déclarants.

"Si l'individu qui réclame la qualité de Français est âgé de moins de 21 ans accomplis, la déclaration sera faite en son nom par son père; en cas de décès, par sa mère; en cas du décès du père et de la mère ou de leur exclusion de la tutelle, ou dans les cas prévus par les Articles 141, 142, et 143 du Code Civil, par le tuteur autorisé par délibération du conseil de famille.

"Il devient également Français si, ayant été porté sur le Tableau de Recensement, il prend part aux opérations de recrutement sans opposer son extranéité."

La présente Loi, délibérée et adoptée par le Sénat et par la Chambre des Députés, sera exécutée comme Loi de l'État.

Fait à Marly-le-Roi, le 22 Juillet, 1893.

(Signé) CARNOT.

Par le Président de la République :
Le Garde des Sceaux, Ministre de la Justice,
(Signé) E. GUÉPIN.

(Translation.)

Law amending Article 8, paragraph 3, and Article 9 of the "Code Civil" relative to Declarations made with the view to acquire or decline French Nationality.

THE Senate and Chamber of Deputies having adopted,

The President of the Republic promulgates the following Law:—

Article 1. Paragraph 3 of Article 8 of the "Code Civil" is modified as follows:—

"French citizens are:

* * * * *

"3. Every individual born in France of foreign parents, of whom one was also born therein, excepting that in case it was the mother who was born in France, the individual may, in the year following the attainment of his majority, decline French nationality by conforming with the provisions of paragraph 4 below.

"An illegitimate child can, under the same conditions as a legitimate child, decline French nationality when the parent who is born in France is not that one whose nationality the child must follow according to the provisions of the first paragraph, second section."

Art. 2. Individuals who, under Article 8, paragraph 3, as modified, may claim foreign nationality, and who have attained their majority when the present Law is promulgated, may claim foreign nationality by complying with the prescribed conditions within one year from such promulgation

Art. 3. Article 9 of the "Code Civil" is modified as follows:—

"Every individual born in France of a foreign parent, and who is not domiciled at the time of his majority, may, until he has completed his 22nd year, make his submission to establish his domicile in France, and, if he so establishes it within a year from the act of submission, may claim French nationality by a declaration which, under penalty of nullity, shall be registered at the Ministry of Justice.

"Registration shall be refused if it appears from the document produced that the declarant is not within the conditions required by the Law. He has, however, the right of recourse to the Civil Tribunals in the form prescribed by Article 855 and following Articles of the Code of Civil Procedure.

"Notification of refusal, with the reason thereof, must be made to the applicant within two months from the date of his declaration.

"Registration may also be refused on account of unworthiness to a declarant who possesses all the legal qualification; but such a case must be decided, and the declarant duly informed, by a Decree issued conformably with the advice of the Council of State within three months from the date of the declaration, or if the decision has been contested, from the day upon which the Judgment confirming the decision has been made valid.

"The declarant may produce documents and statements before the Council of State.

"Failing the notifications above alluded to within the prescribed periods, and on the expiration of such periods, the Minister of Justice shall deliver to the declarant on application a copy of his declaration, with a note thereon of registration.

"The declaration shall be effective from the day upon which it was made, except in case of annulment resulting from a refusal of registration.

"The Regulations relative to registration which are prescribed by paragraphs 2 and 3 of the present Article, are applicable to declarations made with a view to decline French nationality in conformity with Article 8, paragraphs 3 and 4, and with Articles 12 and 18.

"Declarations made either to claim or to decline French nationality, must, after registration, be inserted in the 'Bulletin des Lois.' Nevertheless, the omission of this formality cannot prejudice the rights of the declarant.

"If the individual who claims French nationality has not completed 21 years of age, his declaration shall be made in his name by his father; in case the father be dead, by his mother; and if both father and mother be dead, or are excluded from guardianship, or in cases provided for by Articles 141, 142, and 143 of the 'Code Civil,' by the guardian authorized by deliberation of the family council.

"He will also become French, if having been borne on the recruiting list, he takes part in recruiting operations without claiming to be an alien."

The present Law, deliberated and adopted by the Senate and Chamber of Deputies, shall be executed as the Law of the State.

Done at Marly-le-Roi, the 22nd July, 1893.

(Signed) CARNOT.

By the President of the Republic:
The Keeper of the Seals, Minister of Justice,
(Signed) E. GUÉRIN.

NATIONALITY AND NATURALIZATION.

REPORT from Her Majesty's Ambassador at Paris
respecting the Modification of the French Law
on Nationality.

[In continuation of "Miscellaneous No. 3 (1893)."]

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. August 1898.*

LONDON :

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NATIONALITY AND NATURALIZATION.

R E P O R T

FROM

HER MAJESTY'S MINISTER AT THE HAGUE

INCLOSING A

TRANSLATION OF THE NETHERLAND
LAW ON NATIONALITY AND DOMICILE OF
DECEMBER 12, 1892.

[In continuation of "Miscellaneous No. 4 (1893)."]

*Presented to both Houses of Parliament by Command of Her Majesty.
September 1893.*

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NATIONALITY AND NATURALIZATION.

Report from Her Majesty's Minister at the Hague, inclosing a
Translation of the Netherland Law on Nationality and
Domicile of December 12, 1892.

[In continuation of "Miscellaneous No. 4 (1893)."]

Sir H. Rumbold to the Earl of Rosebery.—(Received September 1.)

My Lord,

The Hague, August 31, 1893.

I HAVE the honour to transmit to your Lordship herewith a translation of the Netherlands Law on Nationality and Domicile of the 12th December, 1892.

I have, &c.

(Signed) HORACE RUMBOLD.

Inclosure.

Law of December 12, 1892, relating to Netherland Nationality and Domicile.

(Translation.)

In the name of Her Majesty Wilhelmina, by the grace of God Queen of the Netherlands, Princess of Orange-Nassau, &c.

We, Emma, Queen-Dowager, Regent of the Kingdom,

To all to whom these presents shall come, greeting :

WHEREAS, having considered it expedient that general enactments should be made relating to Netherland nationality in replacement of that part of the Civil Code entitled "Of Netherland Subjects and Aliens," and of the Law of the 28th July, 1850 ("Staatsblad," No. 41), amended by that of the 3rd May, 1851 ("Staatsblad," No. 46), and considering that, in compliance with the requirements of the 6th section of the Fundamental Law, it has also to be determined by legislative enactment who are domiciled persons, and that the effects of naturalization as regards the wife and the minor children of the person naturalized should likewise be determined by law :

Therefore, by and with the advice of the Council of State, and the consent of the States-General, we have approved and enacted, as we approve and enact by these presents :—

Section 1. The following are Netherland subjects by birth :

(a.) The lawful or legitimated child, or the natural child legally acknowledged by the father, whose father at the time of the child's birth possesses the status of a Netherland subject.

(b.) The lawful child of a Netherland subject deceased within 300 days before the birth of the child.

(c.) A natural child legally acknowledged by the mother only, the mother at the time of the child's birth possessing Netherland nationality.

(d.) A natural child born within the Kingdom not legally acknowledged either by the father or the mother.

Sec. 2. The following are likewise Netherland subjects :

(a.) The child of a person domiciled in the Kingdom, either the father or the mother, according to the distinctions contained in section 1, such person being born of a mother residing in the Kingdom, unless it be shown that the child, as an alien, belongs to another State.

(b.) A child left as a foundling or abandoned within the Kingdom, in so far as its origin, either as a lawful, legitimated, or acknowledged child, is not ascertained.

Sec. 3. Netherland nationality by naturalization is obtained by the law by which it is granted coming into force.

The sum of 100 guilders is due to the Public Treasury for each naturalization.

With the petition for naturalization the petitioner must produce proof:

1. That he is of full age within the terms of Netherland law.

2. That he has lost his Netherland nationality, or that he has resided, or had his principal place of residence, during the last five years, in the Kingdom or its Colonies or possessions abroad.

3. That he has deposited the sum of 100 guilders in the hands of a receiver of registration dues.

If the petitioner belongs to another State, he may be required to produce proof that the legislation of that State offers no obstacle to his naturalization in the Netherlands.

Should the naturalization not be granted, the sum deposited will be returned to the petitioner.

Sec. 4. Naturalization may also be granted for reasons of State. In this case section 3 is not applicable.

The Law by which this naturalization is granted states the conditions attaching thereto in each individual case.

Sec. 5. A married woman during coverture is held to be of the same nationality as her husband.

A petition for naturalization cannot be made by a married woman.

Naturalization granted to the husband extends to the wife by right.

On the dissolution of the marriage section 8 or section 9 comes into force.

Sec. 6. The lawful or legitimated child of a naturalized Netherland father, born previous to the naturalization of the latter, as also a natural child legally acknowledged by a naturalized Netherland father, and born previous to the naturalization of the latter, is to be deemed to participate in the naturalization, and retains the status of Netherland subject until after having attained its majority as determined by Netherland law, and before the lapse of one year thereafter, the child shall have given notice that it does not wish any longer to participate in such naturalization, such notice to be given to the Burgomaster or to the chief local authority of the child's last place of residence in the Kingdom or its Colonies or possessions abroad, or to the Netherland Diplomatic Representative, or to a Netherland Consular officer in the country in which the child resides.

The same applies to the case of a lawful or legitimated child in the event of the mother being naturalized after having become a widow, and to the case of a natural child legally acknowledged by the mother only, and born previous to her naturalization.

Sec. 7. Netherland nationality is lost:

1. By naturalization in another country, or, in the case of a minor, by participation in a foreign nationality in consequence of the naturalization either of the father, or of the mother, in another country, according to the distinctions made in section 1.

2. In the case of a Netherland woman, by a marriage by or in consequence of which she acquires a foreign nationality according to section 5.

3. By the voluntary acquisition of a foreign nationality.

4. By entering into foreign military or State service without our permission.

5. By residence for ten consecutive years outside the territory of the Kingdom or its Colonies or possessions abroad for any other reason than the service of the State, unless the person so residing shall, before the expiration of that term, give notice to the Burgomaster or to the chief local authority of his last place of residence within the Kingdom or its Colonies or possessions abroad, or to the Netherland Diplomatic Representative, or to a Netherland Consular officer in the country in which he resides, that he wishes to remain a Netherland subject. A fresh term of ten years begins to run from the day on which this notice is received.

With regard to minors, the term of ten years begins to run from the day of their attaining their majority as determined by Netherland law.

Sec. 8. A woman having lost her Netherland nationality by or in consequence of

her marriage, recovers the said nationality by the dissolution of the marriage, provided that within one year thereafter she gives notice to the Burgomaster or to the chief local authority of her place of residence in the Kingdom or its Colonies or possessions abroad, or to the Netherland Diplomatic Representative, or a Netherland Consular officer in the country in which she resides, that she wishes to recover her nationality.

Sec. 9. A woman who by or in consequence of her marriage has acquired Netherland nationality retains that nationality after the dissolution of the marriage, unless within one year thereafter she gives notice to the Burgomaster or the chief local authority of her last place of residence in the Kingdom or its Colonies or possessions abroad, or to the Netherland Diplomatic Representative, or a Netherland Consular officer in the country in which she lives, that she no longer wishes to retain her said nationality.

Sec. 10. The lawful, legitimated, or acknowledged natural child of a Netherland subject born before the latter was naturalized in another country, in consequence of which the child also lost the status of a Netherland subject, reacquires the said nationality, provided that, after the attainment of its majority as determined by Netherland law, and within one year thereafter, it gives notice to the Burgomaster or to the chief local authority of its place of residence within the Kingdom or its Colonies or possessions abroad, or to the Netherland Diplomatic Representative, or to a Netherland Consular officer in the country in which it lives, that it wishes to recover its Netherland nationality.

The same applies to a lawful or legitimated child in case the mother having become a widow had been naturalized in another country, and to a natural child acknowledged by the mother only, who had been naturalized in another country.

Sec. 11. The Minister of Justice causes to be published in the "Official Gazette" once a-year all notices given abroad in pursuance of this Law.

Sec. 12. All persons not possessing Netherland nationality according to the provisions of the present Law are deemed to be aliens.

Sec. 13. Persons having their place of residence within the Kingdom, and who have resided during the preceding eighteen months within the Kingdom or its Colonies or possessions abroad, are deemed to be domiciled in the Kingdom.

Sec. 14. Netherland domicile ceases on the possessor thereof fixing his or her residence out of the Kingdom.

Sec. 15. A minor in the terms of Netherland law, whose father or guardian has acquired Netherland domicile, is deemed to participate in such domicile.

On attaining full age he retains his Netherland domicile, in case he fixes his residence in the Kingdom.

Sec. 16. The definitions of domicile appearing in special Laws are valid only in so far as they apply to the subjects treated of in the said Laws.

Temporary Provision.

With the exception of those who in Netherland India, according to the Law of the 2nd September, 1854 ("Staatsblad," No. 129), are deemed to be indigenous persons, and are assimilated therewith, all persons who at the date of the present Law coming into force possess the status of Netherland subject, are Netherland subjects within the meaning of this present Law until they lose their Netherland nationality according to its provisions. In the case of those who at the above-named date have their place of residence outside the Kingdom and its Colonies or possessions abroad, the term of ten years, referred to in the 5th subsection of section 7, begins to run from that date.

Any one who, at the time of this Law coming into force, is born in the Kingdom of parents not established therein, and who has not attained the age of 24 years, can obtain Netherland nationality on giving notice of his intention to continue residing in the Kingdom, such notice to be given to the Burgomaster of his place of residence within one year after the above time, or, if he be still a minor within the terms of Netherland law, then within one year after he has attained his majority.

With regard to those aliens who at the time of this Law coming into operation have complied with the requirements of the 8th section of the Civil Code, their assimilation to Netherland subjects remains in force as regards the application of civil law and of the 19th section of the Law of the 13th August, 1849 ("Staatsblad," No. 39), amended by the Law of the 6th April, 1875 ("Staatsblad," No. 36), so long as they retain their place of residence within the Kingdom.

Final Provision.

In addition to what is contained in the preceding saving clause on this Law coming into operation, the following enactments shall cease to be in force, namely, sections 5 to 12 inclusive, forming the second part of the first Book of the Civil Code, as also the Laws of the 28th July, 1850 ("Staatsblad," No. 44), and of the 3rd May, 1851 ("Staatsblad," No. 46), and the Law of the 21st December, 1850 ("Staatsblad," No. 75).

In those Laws in which mention is made of Netherland subjects, either according to the Civil Code or according to the Law for carrying out the 7th section of the Fundamental Law [Laws of the 28th July, 1850 ("Staatsblad," No. 44), and the 3rd May, 1851 ("Staatsblad," No. 46)], there shall be read in lieu thereof, "Netherland subjects according to the Law relating to Netherland nationality and domicile," excepting in section 22 of the Law of the 6th April, 1875 ("Staatsblad," No. 66), in which the words "according to the Civil Code" shall be replaced by the words "according to the Law relating to Netherland nationality and domicile, also those born in the Netherland Colonies or possessions abroad of parents there established." This Law comes into operation on the 1st July, 1893.

We order that these presents be inserted in the collection of Laws, and that all Ministerial Departments, authorities, Boards, and officers concerned do see to the strict execution thereof.

Given at the Hague on the 12th December, 1892.

(Signed) EMMA.

The Minister of Justice,

(Signed) SMIDT.

The Minister of the Interior,

(Signed) TAK VAN POORTVLIET.

Published the 24th December, 1892.

The Minister of Justice,
(Signed) SMIDT.

NATIONALITY AND NATURALIZATION.

REPORT from Her Majesty's Minister at the Hague,
inclosing a Translation of the Netherland Law
on Nationality and Domicile of December 12,
1892.

[In continuation of "Miscellaneous No. 4 (1893)."]

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. September 1893.*

LONDON:

PRINTED BY HARRISON AND SONS.

MISCELLANEOUS. No. 7 (1893).

NATIONALITY AND NATURALIZATION.

R E P O R T

FROM

HER MAJESTY'S ACTING CONSUL-GENERAL AT
PORT-AU-PRINCE

ON THE

L A W S I N F O R C E I N H A Ï T I A N D T H E
D O M I N I C A N R E P U B L I C .

[In continuation of "Miscellaneous No. 6 (1893)."]

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November 1893.*

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NATIONALITY AND NATURALIZATION.

Report from Her Majesty's Acting Consul-General at Port-au-Prince on the Laws in force in Haïti and the Dominican Republic.

[In continuation of "Miscellaneous No. 6 (1893)."]

No. 1.

Acting Consul-General Tweedy to the Earl of Rosebery.—(Received September 20.)

My Lord,

Port-au-Prince, August 23, 1893.

WITH reference to Sir T. H. Sanderson's Circular despatch under date of the 13th October last, I have the honour to transmit herewith copies of the Laws in force in Haïti and the Dominican Republic relating to nationality and naturalization.

The cause of delay in the transmission of this information was principally due to the absence from the capital of the Haïtian Minister of Justice, from whom I desired to obtain ample and reliable information, other sources of information on the subject having proved defective.

I have, &c.
(Signed) ARTHUR TWEEDY.

Inclosure 1 in No. 1.

Notes on Laws in Haïti relating to Nationality and Naturalization: furnished to Her Majesty's Consulate by M. Edmond Lespinasse, Minister for Foreign Affairs and Justice in Haïti.

Titre II.—Chapitre 1^{er}.

ARTICLE 3. Sont Haïtiens :—

- (1.) Tout individu né en Haïti ou ailleurs de père Haïtien ;
- (2.) Tout individu né également en Haïti ou ailleurs de mère Haïtienne sans être reconnu par son père ;
- (3.) Tout individu né en Haïti de père étranger, ou, s'il n'est pas reconnu par son père, de mère étrangère, pourvu qu'il descende de la race Africaine.

Article 4. Tout étranger est habile à devenir Haïtien suivant les règles établies par la loi (voir Article 14, Code Civil).

Article 5. L'étrangère mariée à un Haïtien suit la condition de son mari.

La femme Haïtienne mariée à un étranger perd sa qualité d'Haïtienne.

En cas de dissolution du mariage elle pourra recouvrer sa qualité d'Haïtienne, en remplissant les formalités voulues par la loi (voir Article 14, Code Civil).

L'Haïtienne qui aura perdu sa qualité par le fait de son mariage avec l'étranger, ne pourra posséder ni acquérir d'immeubles en Haïti, à quelque titre que ce soit.

Article 7. Tout Haïtien qui se fait naturaliser étranger en due forme, ne pourra revenir dans le pays qu'après cinq années ; et s'il veut redevenir Haïtien, il sera tenu de remplir toutes les conditions et formalités imposées à l'étranger par la loi (voir Article 14, Code Civil).

Article 14. Tous ceux qui, en vertu de la Constitution, sont habiles à acquérir la qualité de citoyens d'Haïti, devront dans le mois de leur arrivée dans le pays faire devant

le Juge de Paix de leur résidence, en présence de deux citoyens notables, la déclaration qu'ils viennent avec l'intention de se fixer dans la République.

Ils prêteront en même temps entre les mains du Juge de Paix, le serment qu'ils renoncent à toute autre patrie qu'Haiti.

Munis de l'expédition du procès-verbal du Juge de Paix constatant leur déclaration qu'ils viennent se fixer dans la République et leur prestation de serment, ils se présenteront dans les bureaux du Président d'Haiti pour recevoir un acte du chef de l'État qui les reconnaisse comme citoyens de la République.

Il résulte de ces différents textes que les lois Haïtiennes consacrent en même temps, le *jus sanguinis* et le *jus soli*.

Par suite des origines de la nationalité Haïtienne, elle déclare Haïtien tout individu né sur son territoire et d'origine Africaine; cependant les dispositions constitutionnelles (Article 4) acceptent la naturalisation des Européens et font par conséquent disparaître les anciennes dispositions des lois Haïtiennes qui voulaient que pour être habile à acquérir la qualité d'Haïtien on fut de race Africaine.

L'Haïtien qui abandonne sa patrie et qui en adopte une autre est obligé de quitter le territoire Haïtien (Article 7) et ne peut y retourner qu'après une période de cinq années.

La femme suit, en Haïti, la condition de son mari (Article 5).

(Translation.)

Article 3. The following are Haïtians:—

(1.) Every person born either in Haïti or elsewhere of a Haïtian father.

(2.) Every person born likewise in Haïti or elsewhere of a Haïtian mother, without being acknowledged by the father.

(3.) Every person born in Haïti of a foreign father, or, if not acknowledged by the father, of a foreign mother, provided that such person be of African descent.

Article 4. Every foreigner is able to become a Haïtian by complying with the rules established by the law (see Article 14, Civil Code).

Article 5. A foreign woman married to a Haïtian follows the condition of her husband.

A Haïtian woman married to a foreigner loses her Haïtian nationality.

In case of dissolution of marriage, she can recover her Haïtian nationality by fulfilling the formalities required by the law (see Article 14, Civil Code).

A Haïtian woman who has lost her nationality by the fact of her marriage with a foreigner can neither possess nor acquire real property in Haïti by any title whatever.

Article 7. Every Haïtian who may become a naturalized foreigner in due form may only return to the country after the expiration of five years; and if he wishes to resume his Haïtian nationality, he will be required to fulfil all the conditions and formalities imposed on a foreigner by the law (see Article 14, Civil Code).

Article 14. All persons who, in virtue of the Constitution, are able to acquire the *status* of Haïtian citizens, must, within the month of their arrival in the country, make before the "Juge de Paix" of their place of residence, in the presence of two well-known citizens, a declaration that they have come with the intention of establishing themselves in the Republic.

They will take at the same time, before the "Juge de Paix," the oath renouncing allegiance to every other country but Haïti.

Provided with a copy of the *procès-verbal* of the "Juge de Paix," proving their declaration that they are come in order to establish themselves in the Republic, and that they have taken the oath, they will present themselves at the offices of the President of Haïti, in order to receive a certificate from the Chief of the State, who recognizes them as citizens of the Republic.

It results from these different formalities that the Haïtian laws sanction at the same time the *jus sanguinis* and the *jus soli*.

In consequence of the origin of Haïtian nationality, the country declares to be Haïtian every person born on its territory and of African origin; nevertheless, the constitutional provisions (Article 4) accept the naturalization of Europeans, and abolish

the ancient provisions of Haïtian law, which required that, in order to be able to acquire Haïtian nationality, it was necessary to be of the African race.

A Haïtian who abandons his country, and who adopts another, is compelled to quit Haïtian territory (Article 7), and can only return after a period of five years.

A married woman follows, in Haïti, the nationality of her husband (Article 5).

Inclosure 2 in No. 1.

Extract from "The Political Constitution of the Dominican Republic," revised by Congress in 1881.

II.

(Translation.)

ARTICLE 7. Dominicans are :—

1. All persons born within the territory of the Republic, whatever may have been the nationality of their parents.

2. Children of Dominican fathers or mothers born in any other territory, if they come to this country to take up their abode.

3. All persons from the Spanish American Republics and from the neighbouring Spanish islands who wish to enjoy the privilege, and who, after having resided one year in the Republic, manifest their desire and take oath before the Governor of the province or district in which they reside to defend the interests of the Republic, and who have obtained letters of naturalization.

4. All residents in the Republic or abroad who have been naturalized according to law (clause 3).

5. Foreigners from any friendly nation who take up their residence within the territory of the Republic, declare their wish to enjoy the privilege, and who, having resided at least two years in the Republic, expressly renounce their nationality before whomever it may be lawful to do so.

§. With regard to this Article, legitimate children of foreigners who reside in this Republic in representation or service of their country are not considered as born in the territory of the Republic.

Article 8. Dominicans residing in the Republic will not be recognized as belonging to any other nationality.

Article 9. It is the duty of every Dominican to serve his country as the law requires, and so sacrifice his property and his life if necessary in its defence.

Article 10. The law will determine the rights of foreigners.

Article 11. The nation guarantees to all Dominicans :—

1. The inviolability of life for political causes.

2. The liberty of thought, expressed by speech or by means of the press without previous censure but subject to the law.

3. Their property, with all its rights, which is subject solely to those taxes decreed by the legislative authority to judicial decision, and to be taken for the cause of public use with previous indemnization and contradictory judgment.

4. The inviolability and secrecy of correspondence and of other papers.

5. Their dwelling-houses which can only be invaded with consent of the law to prevent the perpetration of crime.

6. Personal liberty, and—

(1.) Slavery is abolished for ever.

(2.) Slaves who set foot upon Dominican territory become free.

(3.) Every citizen has the right to do or execute anything whatever which may not be prejudicial to others.

7. Liberty to vote at the popular elections without any other restriction than the minor age of 18 years.

8. Liberty of industries.

9. Property and rights of discovery of scientific, artistic, and literary productions.

10. Liberty of meeting and associating unarmed, in public and in private.

11. Liberty to petition and right to obtain Resolution, before any functionary, authority, or Corporation. In case of a Petition made by various persons the first five will guarantee the authenticity of the signatures, and all will guarantee the truth of the act.

12. Liberty of education, which shall be protected to the fullest extent. Government is compelled to provide gratis primary instruction and instruction in arts and industries.

13. Religious toleration. The religion of the State is Roman Catholic. Other sects may hold their services freely in their respective places of worship.

14. Personal security :—

(1.) No Dominican may be arrested for debt, unless it be a fraudulent or criminal one ;

(2.) Nor be compelled to lodge or barrack soldiers in his house ;

(3.) Nor be sentenced by Special Commissions or Courts, but by native Judges, and by virtue of laws provided and dictated before the crime or action took place ;

(4.) Nor be arrested or imprisoned except upon the written order of the functionary who decrees such imprisonment, which shall express the offence that gives rise to such imprisonment, unless the person arrested be taken in the act of committing the offence ;

(5.) To every prisoner shall be communicated the cause of his imprisonment, and his declaration shall be taken at the latest forty-eight hours after having been deprived of his liberty. No one may be incommunicated for a longer time than that which the Juez de Instruccion believes necessary, in order that the investigation of the crime be not impeded. Nor may any one be detained in prison for a longer time than that which the law determines ;

(6.) Nor condemned to suffer criminal punishment until after the hearing of his case and his legal condemnation.

15. Equality ; in virtue of which :—

(1.) All must be judged by the same laws, and submitted to the same duties and taxes.

(2.) Titles of nobility and hereditary distinctions and honours are not conceded.

(3.) No other salute shall be given to official employees than that of "citizen" and "you."

Article 12. Persons making, signing, and executing, or ordering the execution of orders, violating or infringing the guarantees accorded to Dominicans, are culpable, and must be punished according to law.

§. All citizens have the right to accuse them.

IX.—*With regard to the Inferior Courts.*

Article 71, 2nd paragraph :—

§ 1. Naturalized foreigners cannot become Judges of the Courts or Tribunals of First Instance until four years after their naturalization.

NATIONALITY AND NATURALIZATION

REPORT from Her Majesty's Acting Consul-General
at Port-au-Prince on the Laws in force in Haiti
and the Dominican Republic.

[a continuation of "Miscellaneous No. 6 (1893)."]

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. November 1893.*

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MISCELLANEOUS. No. 2 (1893).

REPORTS

FROM

HER MAJESTY'S DIPLOMATIC REPRESENTATIVES ABROAD

RESPECTING THE

PAYMENT OF MEMBERS OF THE LEGISLATURE IN EUROPE,
UNITED STATES OF AMERICA, AND EGYPT.

*Presented to the House of Lords by Command of Her Majesty.
June 1893.*

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Reports from Her Majesty's Diplomatic Representatives abroad
respecting the Payment of Members of the Legislature in
Europe, United States of America, and Egypt.

Circular addressed to certain of Her Majesty's Representatives abroad.

My Lord,

Sir,

Foreign Office, March 15, 1893.

IN conformity with an Address of the House of Commons, I have to request you to furnish me with a Return, for presentation to Parliament, showing, with respect to the country in which you reside, whether payment of Members of the Legislature obtains, and, if so, the amounts or scale of such payment, and whether it includes, or whether there is in addition thereto, any allowance for travelling expenses, or the privilege of free passes on the railways of that country.

I am, &c.

(Signed) ROSEBERY.

Replies to preceding Circular.

AUSTRIA-HUNGARY.

No. 1.

Sir A. Paget to the Earl of Rosebery.—(Received March 27.)

My Lord,

Vienna, March 25, 1893.

IN answer to your Lordship's Circular despatch of the 15th instant, I have the honour to state that in Austria Members of the Lower House of the Legislature are paid at the rate of 10 florins (about 16s. 8d.) for every day's attendance during the Session. They receive, in addition, an indemnity for travelling expenses calculated in proportion to the distance of their homes from the seat of the Legislature.

I have, &c.
(Signed) A. PAGET.

No. 2.

Mr. Milbanke to the Earl of Rosebery.—(Received April 4.)

Sir,

Budapest, March 30, 1893.

WITH reference to the Earl of Rosebery's Circular despatch of the 15th instant, I have the honour to report to your Excellency that, according to a Law just passed by the Hungarian Parliament, Members of the Lower House will now receive a fixed salary at the rate of 2,400 florins (200*l.*) a-year, together with an allowance for house-rent amounting to 800 florins (66*l.* 13s.), making a total of 266*l.* 13s.

The Law in question contains no provision for any further allowances, but the Minister of Commerce, in his capacity as Head of the Administration of State Railways, accords to Members the privilege of taking season tickets at a moderate rate (which are not issued to the general public on the State lines) for their journeys to and fro between the capital, their homes, and the districts they represent in Parliament. He, moreover, furnishes Deputies with certificates enabling them to travel over all the State lines in Hungary in one class higher than the ticket they pay for.

I have, &c.
(Signed) RALPH MILBANKE.

BAVARIA AND WÜRTEMBERG.

No. 3.

Mr. Drummond to the Earl of Rosebery.—(Received March 31.)

My Lord,

Munich, March 28, 1893.

IN accordance with the instructions contained in your Lordship's Circular despatch of the 15th instant, I have the honour to transmit herewith inclosed a Return showing the amount of payment to Bavarian Deputies, and their right to free passage over the State railways and allowance for travelling expenses. I shall have the honour to furnish

your Lordship also with a similar Return on the payment of Deputies in Würtemberg immediately after I receive an answer to the request I have made for information thereupon.

I have, &c.
(Signed) VICTOR DRUMMOND.

Inclosure in No. 3.

Article 36 of the Law of March 21, 1881, concerning the Election of Deputies to the Bavarian Parliament.

(Translation.)

DEPUTIES have the right of free passage over the railways administered by the Bavarian State, in accordance with Regulations laid down by Ministerial Order, during each Session of Parliament and the eight days preceding and following it; and also receive at the beginning and end of each such Session an allowance for travelling expenses of 50 pfennigs per kilometre for their journeys between the place of meeting of Parliament and their place of residence on all railways other than State railways, and on which arrangements for free transit cannot be made.

Every Deputy who does not actually live at the place of meeting of Parliament receives during the Session, including one day before and one day after such Session, a daily allowance of 10 marks.

Note.—By Decree, the above allowance has been suspended during the periods during which Deputies have leave of absence from the Sessions of Parliament.

No. 4.

Mr. Helyar to the Earl of Rosebery.—(Received April 14.)

My Lord,

Munich, April 10, 1893.

WITH reference to Mr. Drummond's despatch of the 28th ultimo, I have the honour to transmit herewith to your Lordship a translation of a note, dated the 29th ultimo, but which reached Munich yesterday evening, from Baron von König, Acting Würtemberg Minister for Foreign Affairs, stating the legal Regulations in force for the payment of Members of the Würtemberg Parliament, and for their free journeys by rail.

I have, &c.
(Signed) H. A. HELYAR.

Inclosure in No. 4.

Baron von König to Mr. Drummond.

(Translation.)

Ministry for Foreign Affairs, Stuttgart,
March 29, 1893.

Sir,

IN reply to your note of the 21st instant concerning the payment of Members of the Würtemberg Legislature, I have the honour to convey to you the following information:—

The Members of the Legislature receive daily pay and journey money, but the Members of the Upper House (*i.e.*, the hereditary Members and those of the non-hereditary Members who live out of Stuttgart) only receive them on application (Law of the 20th June, 1821).

The daily pay consists of 9 m. 43 pf., which represents in current coin the value of the former ducat.

Members absent, with or without leave, receive no pay, but those absent on account of illness receive pay.

The Law of the 20th March, 1886, has regulated the payment of proxies by Government officials who are at the same time to be elected Deputies, either of the Knightly Order, or of the cities, or of the districts. Such officials (in the sense of Article 1 of the Law respecting officials of the 28th June, 1876) receive only 7 marks out of the regular daily pay of 9 m. 43 pf., while the remaining 2 m. 43 pf. is reserved to meet the expenses of the proxy while acting as such.

The indemnity for travelling expenses, so far as railways extend, is twice the amount of a second-class ticket, and where only diligences exist it is the double of one seat in a diligence, and for all other districts it is 1 m. 71 pf. per "poststunde," i.e., one hour's posting as usually computed. (See the Law of the 31st July, 1849, and Royal Decree of the 2nd July, 1848.) Members not residing in Stuttgart can, at their option, receive, in place of this indemnity, in districts where the State railways run, free passes between their place of residence and Stuttgart (to and fro) in any class they choose during the sittings of the Legislature to which they are elected, and of the Committees and Commissions, and also for two days before and subsequent to the Session or sittings of the Committees and Commissions. (See the decision of the Ministry for Foreign Affairs of the 14th January, 1876.)

The daily payment during the journey is measured by the time required to perform such journey; one full day reckoned at twenty-four hours.

The Presidents of the two Chambers receive indemnifications as Members of the Legislative Committee, which are paid during the Sessions of the Legislature: the President of the Upper House, including house-rent, receives 12,857 marks; the President of the Lower House, including house-rent, 8,571 marks; also the other Members of the Legislative Committee who have to be present in Stuttgart, each 3,085 m. 68 pf. These latter (four) Members of the Legislative Committee do not receive this indemnity during the sittings of the Legislature, but receive, on the other hand, during that period, the before-mentioned daily payment. (Law of the 20th June, 1821, paragraph 1, sections 3 and 4, and paragraph 2.)

I avail, &c.
(Signed) v. KÖNIG,
Acting Minister for Foreign Affairs.

BELGIUM.

No. 5.

Sir E. Monson to the Earl of Rosebery.—(Received March 27.)

My Lord,

Brussels, March 25, 1893.

WITH reference to your Lordship's Circular despatch of the 15th instant, I have the honour to inclose copy of a note which I received yesterday from the Count de Mérode Westerloo, transmitting copies of Article 52 of the Belgian Constitution, and of the Law of the 20th October, 1831, as to the payment of Deputies.

His Excellency adds that the Members of the Legislature are not entitled, as such, to travelling expenses nor to free railway passes.

I have, &c.
(Signed) EDMUND MONSON.

Inclosure 1 in No. 5.

Count de Mérode to Sir E. Monson.

Ministère des Affaires Étrangères, Bruxelles,
le 24 Mars, 1893.

M. le Ministre,

J'AI l'honneur de faire savoir à votre Excellence, en réponse à sa lettre du 16 de ce mois, que l'indemnité Parlementaire est déterminée en Belgique par l'Article 52 de la Constitution, et par la Loi du 20 Octobre, 1831.

Votre Excellence trouvera sous ce pli copie des dites dispositions.

Les Membres de la Législature n'ont droit ni à des frais de voyage, ni à des libres parcours sur les chemins de fer.

Veuillez, &c.
(Pour le Ministre),
Le Secrétaire-Général,
(Signé) Baron LAMBERMONT.

(Translation.)

Ministry for Foreign Affairs, Brussels,
March 24, 1893.

M. le Ministre,

I HAVE the honour to inform your Excellency, in reply to your letter of the 16th instant, that the allowance to Members of Parliament is fixed in Belgium by Article 52 of the Constitution and by the Law of the 20th October, 1831.

Your Excellency will find herewith copies of the above-mentioned provisions.

Members of the Legislature are not entitled to travelling expenses, nor to free passes on the railways.

Accept, &c.
(For the Minister),
(Signed) Baron LAMBERMONT,
Secretary-General.

Inclosure 2 in No. 5.

Article 52 of the Belgian Constitution.

CHAQUE Membre de la Chambre des Représentants jouit d'une indemnité mensuelle de 200 florins pendant toute la durée de la Session.

Ceux qui habitent la ville où se tient la Session ne jouissent d'aucune indemnité.

(Translation.)

EACH Member of the Chamber of Representatives is entitled to a monthly allowance of 200 florins during the whole period of the Session.

Those who reside in the town where the Session is held are entitled to no allowance at all.

Inclosure 3 in No. 5.

Belgian Law of October 20, 1831.

Article Unique.—L'indemnité mensuelle fixée par l'Article 52 de la Constitution commence à courir :—

(a.) Pour les Députés élus avant la Session, à dater du jour de l'ouverture des Chambres, s'ils prêtent serment dans les huit jours qui suivent la vérification de leurs pouvoirs.

S'ils ne prêtent pas serment dans ce délai, l'indemnité ne court qu'à dater du jour de la prestation du serment.

(b.) Pour les Députés élus pendant la durée d'une Session, l'indemnité leur est due à dater de la prestation de leur serment.

(Translation.)

Sole Article.—The monthly allowance established by Article 52 of the Constitution shall begin to run :—

(a.) In the case of Members elected before the Session, from the date of the opening of the Chambers, provided they are sworn within the eight days following the verification of their powers.

If they are not sworn within the above period, their allowance shall only run from the date of the day when they shall take the oath.

(b.) In the case of Members elected during the course of a Session, their allowance is due from the date of their taking the oath.

BULGARIA.

No. 6.

Mr. Dering to Foreign Office.—(Received March 27.)

Sir,

Sophia, March 22, 1893.

IN compliance with the instructions contained in your Circular despatch of the 15th instant, I requested the President of the National Assembly to be good enough to inform me what, if any, were the emoluments or allowances enjoyed by Deputies to the Sobranje in Bulgaria, and I have received the following information.

Each Deputy elected, with the exception of those elected for the Metropolis, receive 20 fr. (16s.) per day for the period during which the Session lasts; Deputies elected for the Metropolis, or those who have their domicile in the Metropolis, or in any other city where the National Assembly may hold its Session, receive 15 fr. (12s.) per day for the like period.

All Deputies not residing in the town in which the Sobranje holds its Assembly receive an allowance sufficient to cover their journey to and from the place of their actual residence to the town in which the Assembly meets.

This allowance is calculated at the rate of 60 centimes (6d.) per kilometre, or, in the event of the Deputy being able to attain his destination by rail or steam-boat, at the price of a first-class ticket. Deputies have no other privileges or allowances.

The President and Vice-Presidents of the Sobranje have, in addition to their pay as Deputies, and allowance for each Session, for "frais de représentation," or for entertainments and petty official expenses generally, amounting, for the President, to 3,000 fr. (120l.), and to 1,500 fr. (60l.) for each Vice-President.

In addition to this, the President has the right of travelling for the whole year, first class, gratis, on all lines belonging to the State, a free pass on all steamers, as well as the right of free communication by telegraph with all Government authorities, and with every Deputy on matters of public service.

I have, &c.

(Signed) HENRY NEVILL DERING.

DENMARK.

No. 7.

Mr. Scott to the Earl of Rosebery.—(Received March 23.)

My Lord,

Copenhagen, March 20, 1893.

IN compliance with the instructions of your Lordship's Circular despatch of the 15th instant, I have the honour to report that the Members of both Chambers of the Danish Legislature (the Landsting and the Folkething) receive, in virtue of Article 99 of the Electoral Law of the 12th July, 1867, each an indemnity of 3 rixdalers (6s. 8d.) per diem during the actual Session of Parliament, and each Member, on presenting an account approved and attested by the President of the Chamber to which he belongs, is further reimbursed the amount of his actual travelling expenses to and from the capital.

Each Member of the Rigsdag is bound to receive this indemnity, and the only other allowance to which he is entitled is that of a free seat in the Royal Theatre.

I have, &c.

(Signed) CHARLES S. SCOTT.

EGYPT.

No. 8.

Lord Cromer to the Earl of Rosebery.—(Received May 9.)

My Lord,

Cairo, April 25, 1893.

REFERRING to your Lordship's Circular despatch of the 15th ultimo, requesting to be furnished with a Return, for presentation to Parliament, showing, with respect to this country, whether payment of Members of the Legislature obtains, and, if so, the amounts or scale of such payment, I have the honour to state that I have received a note from Tigrane Pasha, copy of which is inclosed, giving details on this subject.

I have, &c.

(Signed) CROMER.

Inclosure in No. 8.

Tigrane Pasha to Lord Cromer.

Milord,

Le Caire, le 24 Avril, 1893.

DANS sa dépêche du 24 Mars dernier, votre Seigneurie a bien voulu me demander de la mettre à même de faire savoir à sa Seigneurie le Comte de Rosebery, si les Membres des Corps Législatifs en Égypte reçoivent une allocation et touchent, en dehors, d'autres frais de déplacement, &c.

J'ai, en conséquence, l'honneur de porter à la connaissance de votre Seigneurie, les renseignements suivants que vient de me fournir mon collègue des Finances, au sujet du Conseil Législatif et de l'Assemblée Générale, seuls Corps Législatifs existant dans ce pays.

Le Conseil Législatif comprend deux catégories de Membres :—

1. Le Président, le Vice-Président, douze Membres permanents, nommés par le Gouvernement, et le Délégué de la ville du Caire. Tous résident dans cette ville et reçoivent une indemnité de £ E. 90 par an pour frais de voiture.

2. Quinze Délégués nommés par les Gouvernorats* et Moudiriehs.† Il est alloué à chacun d'eux une indemnité de £ E. 250 annuellement pour frais de séjour au Caire. En outre, ils reçoivent une somme fixe, représentant pour chacun le prix de son voyage, aller et retour, une fois par mois, du lieu de sa résidence au Caire.

Ces allocations et frais de voyage, pour les deux catégories des Membres du Conseil Législatif, se montent par an à £ E. 5,367, et figurent au Budget de l'État de 1893, sous Titre II, Conseil Législatif, Article 3, Indemnités.

En ce qui concerne les Membres de l'Assemblée Générale, ils n'ont droit à aucune allocation fixe. Seulement, lorsqu'ils sont convoqués, leurs frais de transport en chemin de fer leur sont remboursés, et ils touchent de plus une indemnité de séjour au Caire pour huit jours, à raison de £ E. 1 par jour.

J'espère que ces renseignements seront de nature à satisfaire à la demande qui vous a été adressée par sa Seigneurie le Comte de Rosebery, et je me tiens entièrement à votre disposition pour toute information complémentaire.

Veuillez, &c.

(Signed) TIGRANE.

(Translation.)

My Lord,

Cairo, April 24, 1893.

IN your despatch of the 24th March last, your Lordship requested me to enable you to inform the Earl of Rosebery whether the Members of the Legislative Bodies in Egypt receive salary, and, in addition, any other allowances (travelling, &c.).

In reply, I have the honour to place before your Lordship the following information, furnished by my Treasury colleague, with respect to the Legislative Council and the General Assembly, the only Legislative Bodies in this country.

The Legislative Council includes two classes of Members—

1. The President, the Vice-President, twelve permanent Members nominated by the Government, and the Delegate from the town of Cairo. They all reside in that town, and receive an allowance of £ E. 90 a-year for carriage expenses.

2. Fifteen Delegates, nominated by the provincial towns and by the provinces. They each receive an allowance of £ E. 250 a-year for dwelling expenses at Cairo. In

* Provincial towns.

† Provinces.

addition they receive a fixed sum, representing the travelling expenses of each Member (to and fro) once a-month, from their places of residence to Cairo.

These allowances and travelling expenses, for the two classes of Members of the Legislative Council, amount to a yearly sum of £ E. 5,367, and appear in the State Budget of 1893, under Caput II, Legislative Council, Article 3, Indemnities.

As regards the Members of the General Assembly, they have no right to any fixed allowance. But, when convoked, their railway expenses are repaid, and they receive, besides, an allowance for eight days' residence in Cairo at £ E. 1 a-day.

I trust that this information will meet the inquiry made by Lord Rosebery, and I place myself entirely at your disposal for any supplementary information.

Accept, &c.
(Signed) TIGRANE.

FRANCE.

No. 9.

The Marquis of Dufferin to the Earl of Rosebery.—(Received April 24.)

My Lord,

Paris, April 21, 1893.

IN reply to your Lordship's Circular despatch of the 15th ultimo, I have the honour to transmit herewith a Memorandum, showing the payment and allowances made in France to Members of the Legislature.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure in No. 9.

Memorandum.

THE indemnity allotted to Senators and Deputies amounts to 9,000 fr. (360*l.*) per annum, from which a sum of 5 fr. (4*s.*) a-month is deducted for refreshments ("pour la buvette").

The members of the two Assemblies travel gratis and first class on all State railway lines.

To the other lines they pay a monthly subscription of 10 fr. (8*s.*), which gives them a personal right to travel first class throughout the year on every line.

The Presidents of the two Chambers receive, independently of the above-mentioned indemnity, an additional sum of 72,000 fr. (2,840*l.*) a-year for expenses of entertainment ("pour frais de représentation"). They are also lodged in the "Palais de la Présidence."

The functions of the Vice-Presidents and of the Secretaries are purely honorary.

The Questors* ("Questeurs"), of whom there are three in each Assembly, receive, in addition to the normal indemnity, a salary of 9,000 fr. per annum, and are further supplied with a suite of rooms, together with the necessary staff of servants.

GERMANY.

No. 10.

Sir E. Malet to the Earl of Rosebery.—(Received March 20.)

My Lord,

Berlin, March 17, 1893.

IN reply to your Lordship's Circular despatch of the 15th instant, I have the honour to inclose a short Memorandum, showing the practice in Germany and Prussia in regard to the payment of Members of the Legislature.

I have, &c.
(Signed) EDWARD B. MALET.

* These functionaries perform duties which in England are delegated to the Sergeant-at-Arms.

Inclosure 1 in No. 10.

Memorandum.

THE Members of the Reichstag—the Imperial Legislature—receive no payment; but they have the privilege of free passes on German railways.

Article 32 of the German Constitution, which deals with this point, reads as follows:—

“Members of the Reichstag are not permitted, as such, to receive any payment or compensation for their services.”

Prussia.

Members of the Lower House of the Prussian Legislature (“Abgeordnetenhaus”) receive a maintenance allowance (“Diäten or Tagegelder”) of 15s. per day during the Session. Besides this, their travelling expenses are defrayed.

These travelling expenses, including cost of luggage, are calculated as follows:—

1. For journeys which can be made by railway or steam-ship, at the rate of 13 pfennigs ($1\frac{1}{2}d.$) per kilometre, with an addition of 3s. for each arrival and departure.
2. For journeys which cannot be performed by rail or steam-boat, at the rate of 60 pfennigs ($7\frac{1}{2}d.$) per kilometre.

The total amount of maintenance allowances and travelling expenses of Members of the Prussian House of Deputies is calculated in the Budget for 1893-94 at about 40,000*l.*

It is not open to Members of the “Abgeordnetenhaus” to refuse either of these privileges.

(See annexed Law of the 24th July, 1876.)

Members of the Upper House of the Prussian Legislature (“Herrenhaus”) receive no payment, but are provided with free railway passes like the Members of the Reichstag.
Berlin, March 17, 1893.

Inclosure 2 in No. 10.

Law respecting the Travelling Expenses and Maintenance Allowance of Members of the House of Deputies, July 24, 1876.

(Translation.)

WE, William, by the Grace of God, King of Prussia, &c., ordain, with the consent of both Houses of Parliament of the Monarchy, as follows:—

Only Article.—The Law of the 30th March, 1873, respecting the travelling expenses and maintenance allowance of Members of the House of Deputies shall be amended as follows:

Section 1. The travelling expenses and maintenance allowance due to Members of the House of Deputies shall be calculated according to the following scale:

1. Travelling expenses, including cost of luggage.

(1.) In journeys which can be made by railway or steam-ship, at the rate of 13 pfennigs per kilometre, with 3 marks for each arrival and departure.

(2.) In journeys which cannot be performed by rail or steam-boat, at the rate of 60 pfennigs per kilometre.

2. The maintenance allowance shall be at the rate of 15 marks per day.

Sect. 2. With regard to the calculation of travelling expenses, the Regulations in force respecting the travelling expenses of State officials shall apply.

Given under our hand and seal at Gastein, the 24th July, 1876.

(Signed)

WILLIAM.

(Signed) . . . PRINCE BISMARCK.
CAMPHAUSEN.
COUNT ZU EULENBURG.
LEONHARDT.
FALK.
V. KAMEKE.
ACHENBACH.
FRIEDENTHAL.
V. BÜLOW.
HOFMANN.

GREECE.

No. 11.

Mr. Egerton to the Earl of Rosebery.—(Received April 3.)

My Lord,

Athens, March 28, 1893.

IN answer to your Lordship's Circular despatch of the 15th instant, I have to state that the system of the payment of Members exists in Greece.

Article 75 of the Constitution is to the effect that Deputies who have exercised their functions will receive each ordinary Session 2,000 drachmas. In the case of an Extraordinary Session they will be, moreover, paid the cost of their journey to and from the capital.

Article 76 lays down that Deputies who receive civil or military pay will not receive more than the difference between that and the amount of the above remuneration.

Some years back, when the new drachma, nominally worth a franc, superseded the old drachma, the Deputies continued to be paid in the old drachma, of inferior value to the new.

Consequently, at present, the remuneration of the Greek Deputy amounts to 1,800 new drachmas, or francs, that is to say, 72*l.* per Session.

In the case of an Extraordinary Session, the remuneration depends on its length—it is usually about 40*l.* It is never less than 20*l.*, or more than 72*l.*

The Session must be formally closed to enable a fresh convocation of Members to be considered an Extraordinary Session.

This year, for instance, the Deputies have departed, and the year's Session is probably closed; but should they be called together again, their meeting would not constitute an Extraordinary Session.

There are absolutely no facilities granted for the travelling of the Members, such as free passes on the railways or steamers.

I have, &c.

(Signed) EDWIN H. EGERTON.

GRAND DUCHY OF HESSE.

No. 12.

Mr. Buchanan to the Earl of Rosebery.—(Received April 4.)

My Lord,

Darmstadt, April 1, 1893.

IN accordance with the instructions conveyed to me in your Lordship's Circular despatch of the 15th ultimo, I have the honour to report that in the Grand Duchy of Hesse the Members of both Chambers, whose seats are not held by right of birth, and whose residence is not within a distance of 2 miles from the seat of the Legislature, receive during the Session a daily allowance of 9*s.* to meet the expenses of their residence in the capital and the cost of their journeys to and from it.

In the Grand Duchy of Baden, the daily allowance granted to Members of the two Chambers who do not hold their seats by hereditary right is 12*s.*, while the actual cost of their journeys to and from the capital on the occasion of the meeting or prorogation of Parliament is refunded to them.

I have, &c.

(Signed) GEORGE W. BUCHANAN.

ITALY.

No. 13.

Lord Vivian to the Earl of Rosebery.—(Received March 23.)

My Lord,

Rome, March 20, 1893.

IN reply to your Lordship's Circular despatch of the 15th instant, I have the honour to report that neither Members of the Italian Senate nor of the Chamber of Deputies receive, as such, any salary, allowance, or indemnity in any form or shape, but that they have the privilege of travelling throughout Italy by rail or by steamer free of expense.

I have, &c.

(Signed) VIVIAN.

NETHERLANDS.

No. 14.

Sir G. Bonham to the Earl of Rosebery.—(Received March 23.)

My Lord,

The Hague, March 21, 1893.

IN compliance with the instructions contained in your Lordship's Circular despatch of the 15th instant, I have the honour to transmit herewith a Return showing the practice in the Netherlands with regard to the payment of Members of the Legislature.

I have, &c.

(Signed) G. F. BONHAM.

Inclosure in No. 14.

Memorandum.

THE payment, or indemnity, as it is styled, of Members of the Second Chamber of the States-General in the Netherlands, was fixed by the Constitutional Law of 1848 at 2,000 florins (166*l.*) a-year. It is further enacted in Article 89 of that Law that Members who become Ministers, or who have been absent during the entire Session, will not receive this indemnity, but it is the almost invariable rule for Members when appointed Ministers to resign their seat in the States-General.

The rules relating to the travelling expenses and the allowance during residence ("verblijfkosten") of Members of the First Chamber, and the travelling expenses of Members of the Second Chamber, were revised by a Law of 1889. According to the provisions of this Law, Members of the First Chamber receive, when summoned to attend the sittings of the First Chamber at the Hague (or wherever the sittings may be held) or to sit on Committees, the expenses of the journey to the Hague from their place of residence in the country and back—consisting of a first-class fare by public conveyance and by the shortest route, with the necessary luggage, and for the use of special means of transport, if necessary. In order to satisfy legal requirements, a declaration has to be signed by the Member that the sum stated in the account agrees with the actual payments.

The allowance to Members of the First Chamber for attendance at meetings of the States-General during the Session and of Committees during a recess is 10 florins (16*s.* 8*d.*) a-day. This allowance is not paid to Members residing in the Hague.

Members of the Second Chamber receive travelling expenses on the same scale as Members of the First, but only once in each Session, *i.e.*, once a-year.

Members of either Chamber residing at the Hague do not receive travelling expenses.

The estimates for this year comprise the following sums:—

For the Second Chamber, consisting of 100 Members: travelling expenses, 1,000 florins (83*l.*); salary or indemnity, 200,000 florins (16,666*l.*).

For the First Chamber, consisting of 50 Members: allowance during residence ("verblijfkosten") and travelling expenses, 26,000 florins (2,166l.).

The small amount for travelling expenses may be accounted for by the fact that a large proportion of Members of both Chambers reside at the Hague.

The Hague, February 21, 1893.

PORTUGAL.

No. 15.

Sir H. MacDonell to the Earl of Rosebery.—(Received April 11.)

My Lord,

Lisbon, April 8, 1893.

IN reply to your Lordship's Circular despatch of the 15th ultimo, I have the honour to state that, in virtue of a Royal Decree of the 15th September, 1892, a translation of which is herewith inclosed, the payment of Members of the Chamber of Deputies, with the exception of those elected for the Colonies, who only number thirteen, was discontinued.

Every Deputy, however, is entitled to a free passage by the railways belonging to the State, and in any Government vessels when coming to Lisbon or on their departure from Lisbon in connection with their Parliamentary duties.

The Decree also provides that the Municipalities of the various electoral districts may grant a subsidy—the amount of which is not to exceed 3\$333 reis (14s. 10d.) per diem, as fixed in the Law of the 10th May, 1878—to any provincial Member who shall not reside in Lisbon, and whose means may absolutely require such subsidy.

I have, &c.

(Signed) H. G. MacDONELL.

Inclosure in No. 15.

Royal Decree.

(Translation.)

IN virtue of the authority conferred upon me in the 13th Article of the Law of the 26th February, 1892;*

I hereby decree:

Article 1. The Deputies to the Cortes of the Portuguese nation are to discharge their functions without remuneration.

They will, however, be allowed a free passage by the railways belonging to the State and in the Government ships, in connection with the discharge of their official duties.

Art. 2. The Municipalities of the various electoral districts are authorized to grant a subsidy to the Deputies who do not reside in the capital whenever the circumstances of those elected as Deputies should absolutely require it, provided the amount of such subsidy shall not exceed the sum recognized in the Laws in force.

Art. 3. All public officers who do not conjointly discharge their official duties and their legislative functions are only entitled to receive the official salary attached to their respective rank.

Art. 4. The Deputies for the Colonies residing in any of the transmarine possessions are not comprised in the provisions set forth in this Decree.

Art. 5. Any Laws contrary thereto are hereby revoked.

The President of the Council of Ministers, Minister and Secretary of State *ad interim* for the Home Department, and also Minister and Secretary of State for the Finance Department, shall accordingly carry this Decree into effect.

Given at the Palace, the 15th September, 1892.

(Signed)

The KING.

(Countersigned)

JOSÉ DIAS FERREIRA.

* This Law authorized the Government in general to reduce the public expenditure.

ROUMANIA.

No. 16.

Mr. C. Hardinge to the Earl of Rosebery.—(Received March 27.)

My Lord,

Bucharest, March 23, 1893.

WITH reference to your Lordship's Circular despatch of the 15th instant, I have the honour to report that, in accordance with the provisions of a Law of the 9th December, 1884, the Members of both Legislative Houses in Roumania receive a daily indemnity of 25 fr. (1*l.*) during the time that the Chambers are sitting. They have, however, no claim to the same when absent with or without leave, except in cases of illness, when they are entitled to payment up to fifteen days only. Should, however, a Member of either House be appointed to serve as a Delegate on a public Commission during the time of Session, the daily allowance is still continued, provided that he receives no further payment for serving on the Commission.

Both Senators and Deputies are entitled *ex officio* to free passes on all railways in Roumania, as well as to their travelling expenses where posting is obligatory.

I have, &c.

(Signed)

CHARLES HARDINGE.

SAXE-COBURG AND GOTHA.

No. 17.

Mr. Stephen to the Earl of Rosebery.—(Received April 11.)

My Lord,

Coburg, April 8, 1893.

IN reply to your Lordship's Circular despatch of the 15th ultimo, I have the honour to report that, by a Law dated the 20th May, 1876, Members of the Legislature in the Duchies of Saxe-Coburg and Gotha are entitled to receive the following allowances while attending the sittings of the Landtag :—

(a.) Members residing at Coburg or Gotha, 6*s.* a-day.

(b.) Members living in the country, 10*s.* a-day, with an additional travelling allowance of a second-class fare, and 3*s.* for incidental expenses if residing near a railway, or an allowance at the rate of 1*s.* a-mile if obliged to drive.

I have, &c.

(Signed)

A. CONDIE STEPHEN.

SAXONY.

No. 18.

Mr. Strachey to the Earl of Rosebery.—(Received March 27.)

My Lord,

Dresden, March 21, 1893.

MEMBERS of the Landtag of Saxony receive a daily allowance of 12 marks (12*s.*) during the Parliamentary Session. No payment is made on account of days when Members are absent without leave of the House. First-class tickets for free passage over the railways of the kingdom during the duration of the Session are issued to Members.

In the case of the Upper Chamber, the representatives of certain houses of the mediatized nobility, with some others, are excluded from the pecuniary grant.

The Sessions of the Saxon Legislature are biennial, and they have an average duration of four or five months.

I have, &c.

(Signed)

G. STRACHEY.

SERVIA.

No. 19.

Mr. Fane to the Earl of Rosebery.—(Received March 31.)

My Lord,

Belgrade, March 24, 1893.

IN reply to your Lordship's Circular despatch of the 15th instant, I have the honour to forward herewith a Memorandum which has been drawn up by Mr. Leveson Gower, showing to what extent the payment of Members of the Legislature obtains in Servia.

I have, &c.

(Signed) EDMUND FANE.

Inclosure in No. 19.

Memorandum.

ARTICLE 128 of the Servian Constitution provides that the Members of the Skupschtina shall receive from the State funds a daily allowance for subsistence while the Skupschtina is in session, and also an allowance for travelling expenses. The amount of these allowances, however, is to be fixed, not by a simple vote of the Skupschtina, but by legislation.

In order to carry out the above provision of the Constitution, it is enacted as follows in Clause 95 of the Law on "the Election of Deputies" of the 25th March, 1890:—

"Each Member of the Skupschtina shall receive, during the time that the Chamber is in session, a daily allowance from the State funds of 10 fr. This allowance shall, however, be reduced to 5 fr. in the case of Members who are State employés or State pensioners, and who live on the spot where the Skupschtina holds its Sessions.

"Members who do not reside in the place where the Skupschtina holds its sessions shall receive a further allowance for travelling expenses according to the length of their journey by time, at the rate of 3 fr. an-hour."

The names of Members are called over at each meeting of the Skupschtina, the names of Members absent are reported to the President, and such Members do not receive the daily allowance.

(Signed) ARTHUR F. G. LEVESON GOWER.

Belgrade, March 24, 1893.

SPAIN.

No. 20.

Sir H. Drummond Wolff to the Earl of Rosebery.—(Received March 24.)

My Lord,

Madrid, March 21, 1893.

WITH reference to your Lordship's Circular despatch of the 15th instant, inquiring whether the Representatives elected to the Spanish Senate and House of Deputies receive pay or allowance for their services, I have the honour to report to your Lordship that such Representatives in this country do not receive any salary or allowances whatever.

I have, &c.

(Signed) H. DRUMMOND WOLFF.

SWEDEN AND NORWAY.

No. 21.

Sir F. Plunkett to the Earl of Rosebery.—(Received March 30.)

My Lord,

Stockholm, March 27, 1893.

IN compliance with the instructions contained in your Lordship's Circular despatch of the 15th instant, I have the honour to furnish a statement showing how payment of Members of the Swedish Riksdag is arranged and what travelling privileges they enjoy.

I have not yet received the Report which I have asked Mr. Michell to furnish in regard to the mode of payment awarded to the Members of the Norwegian Storthing.

I have, &c.

(Signed) F. R. PLUNKETT.

Inclosure in No. 21.

Memorandum.

THE Swedish Riksdag consists of two Chambers—

Members of the First Chamber receive no payment whatever, nor are any special privileges granted to them in regard to travelling.

Members of the Second Chamber receive an allowance of 1,200 kronor (66*l.* 13*s.*) for each ordinary Session. This commences on the 15th January, and closes almost invariably between the 15th and 25th May. The Session has, however, been known to continue into June. Members receive nothing more for such a prolongation, nor would anything be deducted if the Session happened to be shorter. Members are liable to be fined 10 kronor (11*s.*) for any day they fail to attend in the Chamber, unless they have previously asked for and obtained leave of absence. Practically, leave of absence is seldom refused, and this fine may be regarded as non-existent.

The actual amount expended by a Member of the Second Chamber in the journey to Stockholm at the opening of the Session and his return at its close is refunded, but he must himself defray the expenses of journeys he may have to make backwards or forwards at other times. He has no other pecuniary allowances whatever, nor does he enjoy any special advantages on railways or steamers.

In case the King summons an extra Session, the Members of the Second Chamber receive 10 kronor (11*s.*) a-day for each day that the Session lasts, as well as the amount of their travelling expenses once to Stockholm and back.

All travelling expenses are calculated first class with luggage, but without food or a servant.

F. B. P.

No. 22.

Sir F. Plunkett to the Earl of Rosebery.—(Received April 4.)

My Lord,

Stockholm, March 31, 1893.

WITH reference to my despatch of the 27th instant, I have the honour to forward herewith the Report which I have received from Mr. Michell on the system of payments made to Members in the Norwegian Storthing.

I have, &c.

(Signed) F. R. PLUNKETT.

Inclosure in No. 22.

Report on the Remuneration of Members of the Norwegian Storthing, by T. Michell, C.B.

THE Members of the Norwegian Storthing receive the following emoluments:—

1. Travelling expenses for their journey to and from the Storthing, according to a scale fixed by a Law of the 3rd June, 1874.

They do not receive free passes for the State railways, for steamers, &c., but a cash allowance per kilometre travelled, which more than covers the expense of railway or steam-ship fares, or the posting rates with horses.

2. Subsistence ("compensation for board and lodging") at the rate of 12 kronor (13s. 4d.) per diem during their presence at the Storthing, holidays included, and 10 kronor (11s. 1d.) per diem for their travelling expenses to and from the Storthing.

3. Compensation allowance for nursing and medical treatment in case of sickness while travelling to or from the Storthing, or while attending its Sessions. If a Member dies, the State Exchequer defrays the cost of his burial.

In the course of time, the privilege of an allowance for "nursing and medical treatment" often became the object of a somewhat free and elastic interpretation on the part of Members.

Thus, it is a well-known fact that, under that privilege, Members have made the State Treasury pay for their baths, more or less "medical," for courses of gymnastics or massage, for inhalation processes, for medical comforts ("wine for the sick"), for the drawing and stopping of teeth, &c.

However, the derisive exposure of such cases in the press (with full publicity as to the claimants of such privileges) has of late been of considerable effect.

Since 1887, when the question was widely discussed in the public journals, there has not been much ground for complaint in this respect.

The aggregate allowances made to Members of the Storthing since 1875 are shown in the following Table:—

TABLE showing the Payments made to Members of the Norwegian Storthing between 1875 and 1892.

Year.	Duration of Session.		Number of Members.	Total Payments to Members.	Payments to Members.	
	Months.	Days.			Average per Member.	Per Diem (about).
				£	£ s. d.	s. d.
1875	4	11	111	11,405*	102 14 0	15 8
1880	4	22	114	12,267	107 12 0	15 2
1885	4	17	114	11,928	104 12 0	15 1
1890	4	8	114	13,468	118 3 0	18 5
1891	5	17	114	13,290†	116 11 0	18 11
1892	6	..	114	15,155‡	132 19 0	14 9

* The Norwegian kronor have been converted into sterling at the rate of 18 kronor = 1£.

	£
† Travelling expenses	598
Subsistence	12,532
Medical attendance	160
	13,290

	£
‡ Travelling expenses	595
Subsistence	14,390
Medical attendance	170
	15,155

TABLE showing the composition of the Norwegian Storthing in 1893.

Occupations as officially Returned.	Number of Members.
Peasant (yeomen), proprietors, and farmers	33
Officials, higher (Prefects, ex-Ministers, bank directors and managers, &c.)	16
Bailiffs (parish constables)	11
Lawyers, Judges, &c.	10
Schoolmasters, teachers, &c.	9
Clergymen	5
Church choirmasters (who are also schoolmasters)	5
Merchants, traders, agents	4
Ship-owners	4
Managers, overseers, foremen, &c.	3
Manufacturers (2), engineer (1)	3
Medical men	3
Journalists	3
Landed proprietors (gentry)	2
Chemist	1
Door-keeper (custodian)	1
Joiner	1
Total	114

Abstract of Article in "Morgenblad," March 26, 1893.

(Translation.)

WHEN annual Sessions of the Storthing were introduced in 1868-69 in lieu of Sessions only once in three years, and which lasted nine to ten months, it was considered that three or four months would be sufficient for the transaction of all business.

Between 1871-77, however, the Sessions were steadily extended from three and a-half to four months; and between 1878 and 1883, to four and two-third months.

The succeeding Sessions were shorter, but in 1892 the Storthing was dissolved on the 1st August, after a Session of six months.

The duration of the Sessions has, therefore, a tendency to increase.

The cost to the country of such long Sessions here cited by the "Morgenblad" is shown in the Table annexed to this Report.

The worst of it, however, is, that the length of the Sessions deprives the Storthing of the best forces in the country. Men in active occupation, and who, in the school of life, have learnt to know the condition of the country and its people, are compelled to keep aloof from public life, and to resign, to men who make politics a means of livelihood, the seats which they would have filled with credit to themselves and with advantage to the country. And these politicians have no interest in pushing on work in the Storthing, and in reducing the length of the Sessions.

For them, the principal thing is their remuneration and their life in the Storthing Chamber and lobbies. This is to them a road to dignity and power, and to good posts as Auditors of the Public Accounts, paid Delegates to Peace Congresses, Members of Commissions, and to offices of various other kinds.

Members of Committees have to seek for aid outside the Storthing, either because they do not possess the necessary knowledge, or cannot find the time to do the work themselves.

When the reform was made in 1868-69, the subsistence allowances to Members should have been limited to a certain sum.

Several notices of motions to that effect have been brought before the Storthing, but in its present composition, there is no hope of such an alteration being passed by a sufficient majority.

Consul-General Michell to the Earl of Rosebery.—(Received April 20.)

My Lord,

Christiania, April 17, 1893.

WITH reference to the Memorandum I transmitted on the 29th March last through Her Majesty's Minister at Stockholm, I have the honour to report that on the 14th instant five distinct motions, and the numerous "alternatives" attached to them for the limitation of the payments made to Members, were rejected in the Storting by majorities more or less large.

A motion by M. Bang in favour of retaining the present scale of payment, but for a period not exceeding 135 days, gained the largest number of votes, namely, 42 against 69. A proposal to limit the period to 120 days obtained 36 votes, while another, practically to the same effect as M. Bang's, secured 36 supporters.

Proposals for the reduction of the daily subsistence allowance to 10 kronor (from 12 kronor) and to 5 kronor, with a fee of 1,000 kronor (about 55*l.*) for each Session, together with various other scales of fixed remuneration, were rejected by large majorities.

The long Sessions and the present scale of payment to the Members were defended with more than usual frankness and determination by the party of the Left.

I have, &c.

(Signed) T. MICHELL.

SWITZERLAND.

No. 24.

Mr. F. R. St. John to the Earl of Rosebery.—(Received March 23.)

My Lord,

Berne, March 20, 1893.

IN reply to your Lordship's Circular despatch of the 15th instant, I have the honour to state that there is no privilege of free passes on Swiss railways for Members of the Legislature. Their travelling expenses for the double journey, undertaken once only in each Session, are calculated at the rate of 20 centimes (2*d.*) per kilometre of the distance between their habitual place of residence and the capital. They receive, moreover, while the Chambers sit, the sum of 20 fr. (16*s.*) for every day on which they have answered the roll-call at the beginning of the sitting.

Members of the "States Assembly" (Senate) are thus remunerated by their respective Cantons, while the Federal Government remunerates Members of the "National Assembly" (House of Deputies).

I have, &c.

(Signed) F. R. ST. JOHN.

P.S.—A similar arrangement obtains in the case of Members attending Special or Standing Committees.

F. R. ST. J.

UNITED STATES.

No. 25.

Sir J. Pauncefote to the Earl of Rosebery.—Received May 13.)

My Lord,

Washington, May 2, 1893.

WITH reference to your Lordship's Circular despatch of the 15th March last, I have the honour to inclose herewith a Return, for presentation to Parliament, showing the

salary and allowances granted to the Members of the two Houses of Congress of the United States.

I have also the honour to inclose a copy of the latest book of estimates of appropriations and a copy of the latest legislative Appropriation Act, which have been furnished to me by the Secretary of State in connection with the subject.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 25.

Memorandum.

THE compensation of each Senator, Representative, and Delegate in Congress is 5,000 dollars per annum, of the Speaker of the House of Representatives and the President of the Senate, who is also Vice-President of the United States, 8,000 dollars each per annum.

The salaries are paid monthly, those of Representatives and Delegates on certificates approved by the Speaker of the House, and those of Senators on the approval of the President of the Senate.

Mileage is paid at the rate of 20 cents per mile, to be estimated by the nearest route travelled in going to and returning from each Session. Mileage accounts of Senators are certified by the President of the Senate, and those of Representatives and Delegates by the Speaker of the House.

An additional annual allowance of 125 dollars each for stationery and newspapers is also made to Members of both branches of Congress.

There is no law of the United States giving the privilege of free passes on railways to Members of Congress.

Inclosure 2 in No. 25.

House of Representatives, 52nd Congress, 2nd Session: Ex. Doc. No. 5.

"Letter from the Secretary of the Treasury, transmitting Estimates of Appropriations required for the Service of the Fiscal Year ending June 30, 1894."

Inclosure 3 in No. 25.

"An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Fiscal Year ending June 30, 1894, and for other purposes."

REPORTS from Her Majesty's Diplomatic Representatives abroad respecting the Payment of Members of the Legislature in Europe, United States of America, and Egypt.

*Presented to the House of Lords by Command of
Her Majesty. June 1893.*

PAYMENT OF MEMBERS.

RETURN (in part) to an Address of the Honourable The House of Commons,
dated 1 March 1893;—for,

“RETURN showing, with respect to the Colonies of Great Britain, the United States of America, and the Countries of Europe, whether PAYMENT of MEMBERS of the Legislature obtains, the Amounts or Scale of such Payment, and whether it includes, or whether there is in addition thereto, any Allowance for Travelling Expenses, or the privilege of free Passes on the Railways of those Countries.”

(BRITISH COLONIES.)

(In continuation of [c. 6975], 1893.)

Colonial Office,
August 1893. }

SYDNEY BUXTON.

(*Mr. Conybeare.*)

*Ordered, by The House of Commons, to be Printed,
24 August 1893.*

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RETURN showing, with respect to the Colonies of Great Britain, the United States of America, and the Countries of Europe, whether Payment of Members of the Legislature obtains, the Amounts or Scale of such Payment, and whether it includes, or whether there is in addition thereto, any Allowance for Travelling Expenses, or the privilege of free Passes on the Railways of those Countries.

— No. 1. —

CIRCULAR addressed to Governors of certain Colonies.

My Lord,

Sir,

Downing-street, 9 March 1893.

I HAVE the honour to inform you that an Address has been presented by the House of Commons to Her Majesty for a Return "showing with respect to the Colonies of Great Britain, the United States of America, and the Countries of Europe, whether payment of Members of the Legislature obtains, the amounts or scale of such payment, and whether it includes, or whether there is in addition thereto, any allowance for travelling expenses, or the privilege of free passes on the railways of those countries;" and I have to request that you will be good enough to supply, at your earliest convenience, a Memorandum giving the information desired in this Return, so far as it relates to the Colony under your Government.

I have, &c.
(signed) *Ripon.*

— No. 2. —

Sir Terence O'Brien to the Marquess of Ripon.—(Received 3rd May 1893.)

Government House, St. John's,

19 April 1893.

My Lord Marquess,

IN reply to your Lordship's Circular Despatch of the 9th ultimo,* I beg to append a statement of the payments made to Members of the Newfoundland Legislature, for their attendance at the usual annual sittings, as also a list of similar additional payments made to these Members for the Special Session in August last, consequent on the fire. These payments are made to all Members who take part in the Session, be it only a day's attendance at the House.

The Members of both Houses have the privilege, during Session only, of franking letters; they are not allowed free passages by train or otherwise to St. John's.

I have, &c.
(signed) *T. O'Brien*, Lieut.-Col.,
Governor.

The Most Honourable
The Marquess of Ripon, K.G.,
&c. &c. &c.

* No. 1.

RETURN RELATING TO

Enclosure in No. 2.

Scale of Payments to the Members of the Newfoundland Legislature.

Legislative Council.

	Dols.
President - - - - -	240.00 per Session.
Members (each) - - - - -	120.00 „ „

House of Assembly.

The Speaker - - - - -	924.00 per Session.
The Chairman of Committees - - -	400.00 „ „
Members (non-resident in St. John's) -	300.00 „ „
Members (resident in St. John's) - -	200.00 „ „

There is no allowance of any kind for travelling expenses, nor are free passes on the railways granted.

Special Session, 1892.

Legislative Council.

	Dols.
President - - - - -	120.00
Members - - - - -	60.00

House of Assembly.

The Speaker - - - - -	500.00
Chairman of Committees - - - - -	200.00
Members (non-resident) - - - - -	200.00
Members (resident) - - - - -	100.00

— No. 3. —

Sir C. B. H. Mitchell to the Marquess of Ripon.---(Received 23rd May 1893.)

Government House, Pietermaritzburg, Natal,

My Lord Marquess,

22 April 1893.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch (Circular) of the 9th ultimo, on the subject of an Address presented by the House of Commons to Her Majesty for a Return, showing, with respect to the Colonies of Great Britain and other places, whether payment of Members of the Legislature obtains, &c., and requesting to be furnished with a Memorandum giving the information desired in the Return so far as relates to this Colony.

2. I transmit to your Lordship herewith a Memorandum on this subject, from which it will be seen that Elective Members of the Legislative Council of Natal whose residence is distant three miles and upwards from the Council receive an allowance of 1*l.* a day during the Session, and while travelling to the Council on the opening day, and returning home on the prorogation of the Council.

In addition to this allowance they are granted free railway passes over the railways of the Colony.

Members of the Council who live within three miles distance of the Council Chamber are not entitled to any allowance, but they receive free passes over all the railways of the Colony.

I have, &c.

(signed) C. B. H. Mitchell.

The Right Hon. the Secretary of State,
&c. &c. &c.

Enclosure in No. 3.

MEMORANDUM *re* Payment of Members of the Legislature of Natal.

EACH Member, other than the Speaker and Official Members, of the Legislative Council of Natal whose residence is three miles and upwards from the building in which the Council sits receives 1*l*. (one pound sterling) as daily travelling allowance from the first to the last day of Session, and for the number of days required to travel to, and to return to his home from, the Legislative Council. All Members have free railway passes available during the whole term they are Members of the Council over all the railway systems in Natal, the Cape Colony, the Orange Free States Republic, and the South African Republic.

Mr. Speaker and the Members *ex officio* receive salaries in virtue of their respective offices, but draw no daily travelling allowance for attendance at Council.

21 April 1893.

(signed) F. W. A. Watson,
Clerk of the Council.

Memo. :—Members of the Council who reside within a distance of three miles from the Council Chamber are not entitled to any allowance, but are furnished with free railway passes.

— No. 4. —

Sir H. B. Loch to the Marquess of Ripon.—(Received 29th May 1893.)

My Lord Marquess,

Government House, Cape Town,
6 May 1893.

I HAVE the honour to enclose for your Lordship's information with reference to your Circular Despatch of the 9th March last a copy of a Minute from Ministers on the subject of Payments to Members of the Legislature of this Colony.

I have, &c.
(signed) Henry B. Loch,
Governor and High Commissioner.

The Most Hon. The Marquess of Ripon, K.G.,
&c. &c. &c.,
Colonial Office.

Enclosure 1, in No. 4.

From Ministers, Cape Town, to His Excellency the Governor, Cape Town.

MINUTE.

Prime Minister's Office,
Cape Town, Cape of Good Hope,
30 April 1893.

In acknowledging the receipt of His Excellency the Governor and High Commissioner's Minute, No. 62, of the 15th instant, transmitting a Circular Despatch from the Right Honourable the Secretary of State for the Colonies, requesting to be furnished with certain information in regard to payments, &c., made to members of the Legislature of this Colony, Ministers have the honour to forward herewith to his Excellency, for transmission to the Secretary of State, a Memorandum (with enclosures) containing the desired information.

(signed) C. J. Rhodes.

Enclosure 2, in No. 4.

MEMORANDUM.

1. *Payment of Members.—Travelling and Personal Allowances of.*—An Act of Parliament making provision for the payment of Members attending the Sessions of Parliament, and to alter and amend the law in regard to the travelling and personal expenses of such Members, was assented to on the 16th August, 1888 (copy herewith enclosed).

2. *Free Railway Passes for Members.*—The Honourable the Legislative Council and the Honourable the House of Assembly adopted a Resolution in August, 1889, making provision for the supply to Members of Parliament of a free railway pass on all the Government lines, except those of the Cape Division (suburban) (Copy of Resolution herewith enclosed).

3. *Commissions—Payment of Members of Parliament whilst serving on.*—A Resolution was adopted by the Honourable the House of Assembly on the 9th day of July 1888, approving of the payment of Parliamentary allowances to Members whilst serving on Commissions in accordance with the recommendations of the Select Committee on Travelling Expenses and Fees. See Section 2 of the Report of the Select Committee. (Copy of Resolution and Report of Select Committee herewith enclosed.)

4. *Ministers' Travelling Expenses.*—A Resolution was adopted by the Honourable the House of Assembly on the 9th day of July 1888, approving of the amount payable to Ministers when travelling on public duty, in accordance with the recommendations of the Select Committee on Travelling Expenses and Fees. See Section 3 of the Report of the Select Committee. (Copy of Resolution and Report of Select Committee herewith enclosed.)

Enclosure 3, in No. 4.

CAPE OF GOOD HOPE.

RESOLUTION adopted by the Honourable the Legislative Council and the Honourable the House of Assembly in August 1889.

“ That Members of Parliament should be supplied with a free railway pass on all the Government lines, except those of the Cape Division.”

Enclosure 4, in No. 4.

RESOLUTIONS adopted by the Honourable the House of Assembly on the 9th day of July 1888.

1. That the Parliamentary allowances to Members, as recommended in the Report of the Select Committee on Travelling Expenses and Fees, be approved of.

2. That the several recommendations of the Report (other than those set forth in the above Resolution, and so much of the Third Section of the Report as relates to the payment of Ministers' Travelling Expenses, upon their own certificate, without audit), be carried into effect by the Government, so far as all or any of them are practicable.

Enclosure 5, in No. 4.

Act No. 16, of 1888, promulgated 17th August 1888.

CAPE OF GOOD HOPE.

ANALYSIS.

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|--|--|
| <ol style="list-style-type: none"> 1. Inconsistent and repugnant laws repealed. 2. Meaning of "member" in this Act. 3. Travelling allowances of members going to and returning from Parliament, how calculated. 4. Remuneration of members residing not more than fifteen miles from place of assembling of Parliament. 5. Remuneration of members residing more than fifteen miles from the place of assembling of Parliament. | <ol style="list-style-type: none"> 6. Meaning of "absence from home on parliamentary duty." 7. Remuneration or allowance not payable for more than ninety days. 8. Declarations to be made by members in forms prescribed in Schedules, and accounts settled by drafts on Treasury. 9. Operation and short title of Act.
Schedule A.
Schedule B. |
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Act to make provision for the Payment of Members attending the Sessions of Parliament, and to alter and amend the law in regard to the Travelling and Personal expenses of such Members.

[Assented to, 16th August 1888.]

Be it enacted by the Parliament of the Cape of Good Hope in Parliament assembled, and by the authority of the same, as follows:

1. So much of the Ninetieth Section of the Constitution Ordinance as provides for the payment of travelling and personal allowances, together with so much of any law as may be repugnant to or inconsistent with the provisions of this Act, shall be, and is hereby repealed. Inconsistent and repugnant laws repealed.

2. In this Act the term "member" shall include every member of either the Legislative Council or House of Assembly, with the exception only of Cabinet Ministers and of the President of the Legislative Council and Speaker of the House of Assembly. Meaning of "member" in this Act.

3. Every member who shall attend any Session of Parliament, and whose ordinary place of residence within this Colony shall be distant more than fifteen miles from the place whereat Parliament shall be summoned to assemble, shall, by whatever route or from whatever place he shall in fact have travelled, be entitled to receive, by way of allowance for travelling expenses incurred in the discharge of his Parliamentary duties :— Travelling allowances of members going to and returning from Parliament, how calculated.

(1) The sum of one shilling for every mile reckoned by the most direct route from such place of residence either to the nearest railway station from which there shall be continuous railway communication with the place whereat Parliament shall be summoned to assemble, or to the nearest seaport whereat passenger steamers usually call to land passengers or take them on board, whichever of such railway station or seaport shall be nearer to such place of residence.

(2) The amount of a first-class ticket from such railway station, or by steamer from such seaport, as the case may be, for conveyance by the most direct route from such station or seaport to the place whereat Parliament shall be summoned to assemble ;

and shall be entitled to a similar allowance for travelling expenses upon one return journey in or after the same Session of Parliament from the place whereat Parliament shall be summoned to assemble to the place of residence of such member as aforesaid : Provided, that where such a seaport as aforesaid shall be nearer to such place of residence than any railway station connected by continuous railway communication with the place at which Parliament shall be summoned to assemble, but such seaport shall be connected by continuous railway communication with some railway station, being the nearest railway station in point of distance and nearer than such seaport to such place of

residence, then and in such case the allowance of one shilling per mile shall be estimated on the distance between such place of residence and such last mentioned railway station, and not on the distance between such place of residence and such seaport, but in every such case an allowance shall be made, additional to the allowance of one shilling per mile and the amount of a first-class ticket by steamer from such seaport, of the amount of a first-class ticket from such last mentioned railway station to such seaport, or from such seaport to such railway station in respect of the return journey above provided for.

Remuneration of members residing not more than 15 miles from place of assembling of Parliament.

4. Every member whose ordinary place of residence within this Colony shall be distant not more than fifteen miles from the place whereat Parliament shall be summoned to assemble shall, by way of remuneration for his parliamentary services, be entitled to receive the sum of one guinea for every day of any Session of Parliament upon which such member shall actually attend either the sitting of the House of the Legislature of which he is a member, or any committee of such House.

Remuneration of members residing more than 15 miles from the place of assembling of Parliament.

5. Every member whose ordinary place of residence within this Colony shall be distant more than fifteen miles from the place whereat Parliament shall be summoned to assemble shall, for and in respect of every day in which he shall be absent from home on his parliamentary duties, be entitled to receive

(1) The sum of one guinea, by way of remuneration for his parliamentary services, and

(2) The sum of fifteen shillings, by way of allowance for personal expenses; but no allowance for personal expenses shall be made for or in respect of any day during which such member shall be in fact travelling by any passenger steamer, for his passage by which he is entitled to claim the amount of a first-class ticket under the third section.

Meaning of "absence from home on parliamentary duty."

6. A member shall under the Fifth Section be deemed to be absent from home on his parliamentary duties upon every day upon which he shall declare in the form prescribed in Schedule B of this Act:—

(a) That he has been occupied in travelling to, or returning from, the place whereat Parliament shall be summoned to assemble.

(b) That he has been actually attending the sitting of the House of the Legislature, of which he is a member, or any committee thereof.

(c) That after the opening of any Session of Parliament, he has been at any place in this Colony, awaiting the next sitting, after the last sitting attended by him, of the House of the Legislature of which he is a member, or any committee thereof: Provided that he shall actually have attended such next sitting or committee as afore-said.

(d) That he has been at the place where Parliament is assembled to attend the sittings of the House, of which he is a member, but has been prevented by illness from actually attending.

Provided, that no member shall declare that he has been occupied in travelling to, or from, the place whereat Parliament shall be summoned to assemble for any number of days, greater than the number of days which would be required for travelling between such place and the ordinary place of residence of such member, by the most direct route ascertained in accordance with the provisions of the Third Section of this Act.

Remuneration or allowance not payable for more than 90 days.

7. No remuneration, or allowance for personal expenses, shall in respect of any one Session of Parliament be claimable by any member under the provisions of the fourth and fifth sections of this Act, for any greater number of days than ninety days in all.

Declarations to be made by members in forms prescribed in Schedules, and accounts settled by drafts on Treasury.

8. Every member referred to in the Fourth Section of this Act, who shall make and render to the Clerk of the House of the Legislature, of which he is a member, a declaration, and sign a receipt in the form set forth in Schedule A of this Act, and every member referred to in the Fifth Section of this Act, who shall similarly make and render a declaration, and sign a receipt, in the form set forth, in Schedule B of this Act, shall be entitled to receive the sum shown in such declaration from the Clerk of the Legislative Council, or House of Assembly,

Assembly, as the case may be; provided that in any case the President of the Legislative Council, or Speaker of the House of Assembly, as the case may be, may alter the forms set forth in the Schedules to meet the requirements of this Act.

9. This Act shall take effect from and after the first day of October 1888, and may be cited for all purposes as "The Members of Parliament Allowances Act, 1888." Operation and short title of Act.

SCHEDULE A.

Schedule A.

Cape of Good Hope.

Parliamentary.

Remuneration to members residing within 15 miles from the place where Parliament is assembled.

The Colonial Government,

To Mr.

18 Member of the
for

Remuneration for attendance at Parliament,

Session of 18 , for days £

I declare that on days of the Session of
Parliament, 18 , I have been in actual attendance on the sittings of
the or committees thereof.

(signed) A. B.

Received from the Honourable the Treasurer of the Colony through the
Clerk of the the sum of in full of
the above account, for which sum I have signed duplicate receipts of the same
tenor and date.

Witness to payment:

(signed) A. B.

SCHEDULE B.

Schedule B.

Cape of Good Hope.

Parliamentary.

Remuneration and allowances to members residing more than 15 miles from the place where Parliament is assembled.

The Colonial Government,

To Mr.

18 Member of the
for

Remuneration at one guinea per day for days'
absence from home on Parliamentary duty, for
the Session of Parliament, 18 - - - £

Allowance for personal expenses for days at
15s. per day - - - - - £

Travelling Allowances * miles from my
ordinary place of residence at to and
miles for the return journey at 1s. per mile £

First-class ticket from to , and return
journey - - - - - £

£

£

° *Viz* Section 3.

I declare that I have correctly stated, in accordance with the provisions of
"The Members of Parliament Allowances Act, 1888," the number of days
during which I have been absent from home on Parliamentary duty, and am
O.152. B entitled

RETURN RELATING TO

entitled to the remuneration and allowance for personal expenses stated above, and I further declare that the reasonable time for travelling from my place of residence to _____ is _____ days, and that the distance in miles* above mentioned and the amount payable for first class fare between the places referred to are correctly stated above.

(signed) A. B.

Received from the Honourable the Treasurer of the Colony through the Clerk of the _____ the sum of _____ in full of the above account, for which sum I have signed duplicate receipts of the same tenor and date.

Witness to payment :

(signed) A. B.

• If any.

Enclosure 6, in No. 4.

REPORT of the Select Committee appointed by Order of the House of Assembly, dated 5th June 1888, with power to take Evidence and call for Papers, to report upon the Travelling Expenses and Fees to be allowed in future to Cabinet Ministers, Judges of the Supreme Court, Members and Officers of Parliament, Civil Servants and others, respectively, for services rendered as Members of Commissions appointed by Government or attending Parliament, or when travelling and away from home on other public business;—the Committee consisting of the Treasurer General, Sir Thomas Scanlen, Messrs. Venter, Merriman, Sivewright, Captain Brabant, and Hofmeyr.

Your Committee beg to report that having taken evidence and called for various papers bearing on the subject referred to them, they now submit the following suggestions for the favourable consideration of your Honourable House.

1. They are of opinion:—

- (a) That the principle of payment of Members of Parliament for services rendered as such should be accepted, and believe that a personal allowance of one guinea a day up to a maximum of 90 days, payable to all members (Ministers and the Honourable the Speaker excepted), with 15s. a day added as subsistence allowance to members residing beyond a radius of 15 miles from the place where Parliament may meet, both payments in the latter case to count from the date of starting to the day of returning home, inclusive, would be a fair arrangement.
- (b) That the travelling allowances for members to and from Parliament should not exceed 1s. per mile to and from the nearest Railway or Steamboat Station, and between different lines of Railway, together with a first-class Railway or Steamboat ticket: Provided that no subsistence allowance shall be payable for the time spent on board ship.

2. Members of Parliament and private individuals of equal social standing or rank, not in receipt of salary from Government, serving on Commissions or other public duty, not specially provided for by law, shall not receive any higher allowances than those set forth in paragraph 1: Provided always that if travelling and away from home, and not sitting continuously for one month or more at the same place, their subsistence allowance may be increased to one guinea a day.

3. The Committee, while trusting that due economy will on all occasions be exercised by Ministers, and while of opinion that any hospitality paid for by them out of public funds should be limited to public officials, do not see their way clear to fix definitely the amount payable to Ministers while travelling on public duty; and are agreed that they should not draw any extra personal allowance whatever for services rendered, and that a certificate by them that the amount charged has been actually expended for the purposes specified should serve as a sufficient voucher.

-- No. 5. --

The Earl of *Kintore* to the Marquess of *Ripon*.—(Received 13th June 1893.)

Government House, South Australia,
Adelaide, 8 May 1893.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 9th March, requesting to be supplied with a Memorandum giving information as to the payment of Members of the Legislature in this Colony, and as to any allowance for travelling expenses, or privilege of free passes on the railways to which they are entitled. Your Lordship will find the desired information in the Memorandum which I have the honour to forward to you herewith.

The Most Honourable
The Marquess of Ripon, K.G.,
Colonial Office.

I have, &c.
(signed) *Kintore*.

Enclosure 1, in No. 5.

MEMORANDUM giving information respecting payment and allowances for Travelling Expenses made to Members of the Legislature of South Australia.

EACH Member of the Legislature of this Province receives a payment of 200*l.* per annum, under Act No. 399 of 1887, a copy of which is enclosed, and is provided with a free pass over Government railways. A Resolution of the House of Assembly also authorises the repayment to Members of fares by mail steamboat, or other public conveyance, when travelling between the districts they represent, or the places where they reside, and the House, whilst Parliament is in Session; but this right is only availed of when substantial expense is incurred.

Enclosure 2, in No. 5.

No. 399.

An Act to provide for the Payment of Members of Parliament.

[Assented to, 16th November 1887.]

WHEREAS it is desirable to provide for the payment of Members of Parliament—Be it therefore enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

Preamble.

1. Every Member of Parliament, whether a Member of the Legislative Council or of the House of Assembly, except as provided by Section 3, shall be entitled to receive payment in respect of his services in the discharge of his Parliamentary duties, at the rate of 200*l.* per annum.

Members to be paid.

2. Such payment shall be made out of the general revenue of the province on the first day of every calendar month.

Mode of payment.

3. No Member whilst in the receipt out of the General Revenue of any official salary or annual sum, shall be entitled to receive any such payment as aforesaid, except in so far as such payment may exceed the amount of such official salary or annual sum.

Deductions from payment.

Commencement of
Act.

4. This Act shall commence and take effect on and from the day of the first meeting of Parliament after the periodical election now next ensuing for members of the Legislative Council, and shall continue in force until the end of one year from the first day of meeting of the next House of Assembly.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

Wm. C. F. Robinson, Governor.

— No. 6. —

Sir *W. C. F. Robinson* to the Marquess of Ripon.—(Received 13th June 1893.)

Government House, Perth,

8 May 1893.

My Lord,

IN reply to your Lordship's Circular Despatch of the 9th of March, with respect to the payment of members of the Legislature, I have the honour to enclose herewith a Memorandum giving the information desired so far as it relates to this colony.

I have, &c.

(signed) *W. C. F. Robinson*.

The Most Noble

The Marquess of Ripon, K.G., G.C.S.I., C.I.E.,

&c. &c. &c.

Enclosure in No. 6.

Premier to Governor.

His Excellency The Governor,

MEMBERS of the Legislature in this Colony do not receive any payment for their services, or any allowance whatever.

They are allowed to travel free on all Government railways, a Resolution of the old Legislative Council having been passed recommending that this should be done. It is not authorised by any law, but merely by an Order of the Government.

(signed) *John Forrest*,
Premier.

4 May 1893.

— No. 7. —

The Earl of *Glasgow* to the Marquess of *Ripon*.—(Received 22nd June 1893.)

Government House, Wellington, New Zealand,

17 May 1893.

My Lord,

IN reply to your Lordship's Circular Despatch of 9th March 1893, with regard to the payment, &c., of Members of the Legislature of this Colony, I have the honour to forward documents which I trust will afford your Lordship the information you are pleased to require.

I have, &c.

(signed) *Glasgow*.

The Right Hon. The Marquess of Ripon, G.C.M.G.,

&c. &c. &c.,

Colonial Office.

Enclosure 1, in No. 7.

MEMBERS of the General Assembly of New Zealand are paid for their services under "The Payment of Members' Act, 1892," a copy of which is attached :—

Members of the Legislative Council receive one hundred and fifty pounds (150*l.*) per annum by monthly payments of twelve pounds ten shillings (12*l.* 10*s.*);

Members of the House of Representatives receive two hundred and forty pounds (240*l.*) per annum by monthly payments of 20*l.*;

Members failing to attend, except for reasonable cause, are subject to a deduction of two pounds per diem for non-attendance;

Coach-fares, sea-passages, and reasonable travelling expenses, are allowed in respect of one journey only, to and from the place of meeting;

Free passes over Government railways only are granted to Members of both Houses.

(signed) *Glasgow.*

17 May 1893.

Enclosure 2, in No. 7.

NEW ZEALAND.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Commencement.</p> <p>3. Interpretation.</p> <p>4. Annual sum payable to Members of the General Assembly.</p> <p>5. (1.) Deduction in case of absence. (2.) Deduction not to be made in case of illness.</p> | <p>(3.) Travelling expenses. (4.) Resignation and dissolution. (5.) Absence of Legislative Councillor during whole Session.</p> <p>6. Exemptions, as to Ministers, Speakers, &c.</p> <p>7. No payments to be made without Speaker's certificate.</p> <p>8. Payments not attachable during Session.</p> <p>9. Repeal.</p> |
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1892, No. 53.

AN ACT to provide for the Payment of Members of the General Assembly. Title.
11th October 1892.

BE it enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

1. The Short Title of this Act is "The Payment of Members Act, Short Title. 1892."
 2. This Act shall come into force on the first day of January, in the year Commencement.
one thousand eight hundred and ninety-three.
 3. In this Act,—

"Member" means a Member of the Legislative Council or the House of Representatives, as the case may be : Interpretation.

"Sitting day," where used in relation to the Legislative Council or the Members thereof, or to the House of Representatives, or the Members thereof, means every day on which such Legislative Council or House of Representatives respectively shall, during any Session, be, by their Standing Orders, appointed to sit for the transaction of business.
 4. Subject to the provisions of this Act, every Member of the General Assembly shall be entitled to receive payment in relation to his attendance in the discharge of his Parliamentary duties at the rate of one hundred and fifty pounds per annum if a Member of the Legislative Council, and two hundred and forty pounds per annum if a Member of the House of Representatives. Annual sum payable to members of the General Assembly.
- And such payment shall be payable out of the Consolidated Fund by equal monthly payments on the last day of each and every month in each year to

every such Member from the time of taking his seat until his resignation thereof, or otherwise vacating his seat, or, if a Member of the House of Representatives, until his retirement therefrom by effluxion of time, or the dissolution of Parliament, as the case may be.

5. All payments to be made under the last preceding section shall be subject to the provisions following, that is to say,—

Deduction in case of absence.

- (1.) If during any Session any Member shall absent himself for any number of sitting days, exceeding five, there shall be deducted from the payment to be made to such Member for every sitting day (exclusive of such five sitting days) during which he may be absent the sum of two pounds.

The exemption from penalty in respect of absence for five sitting days during any Session shall be reckoned from the commencement of such Session, and allowed accordingly, after which all deductions in respect of the absence of a Member shall be made from the monthly payment to be made to such Member next ensuing after the occurrence of such absences respectively.

Deduction not to be made in case of illness.

- (2.) The preceding provision as to the deduction to be made in the case of absence of any Member in attendance on Parliament, shall not apply where such absence is caused by reason of illness, or from any other cause, which shall, by the Speaker of the Council or House giving the certificate hereinafter mentioned, be therein stated to be unavoidable.

Travelling expenses.

- (3.) In addition to the payment aforesaid, there shall be paid to every Member, as travelling expenses, the actual sums which such Member shall have reasonably paid in proceeding to and returning from the place of meeting of the General Assembly. But such additional payment shall be made only in respect of one journey to and from such place.

Payments on account of such travelling expenses may be made at any time after the same are payable, not being more than six months after the time at which such expenses were incurred.

Resignation and dissolution.

- (4.) If a Member of either House resigns, or otherwise vacates his seat, he shall be entitled to payment up to and inclusive of the day of the seat becoming vacated; and, on the dissolution of Parliament, Members of the House of Representatives shall be entitled to payment up to and inclusive of the day of such dissolution.

Absence of Legislative Councillor during whole session.

- (5.) If a Member of the Legislative Council has obtained, and avails himself of, leave of absence from the Governor for a whole Session, he shall not be entitled to any payment under this Act from the date of the Proclamation of the Governor convening the General Assembly for the despatch of business at the Session in respect whereof such leave applies, until the issue of a like Proclamation convening the said Assembly for despatch of business at the next ensuing Session thereof.

Exemptions, as to Ministers, Speakers, &c.

6. No payment under this Act, other than travelling expenses as aforesaid to the Speakers and Chairmen of Committees hereinafter mentioned, shall be made to any Member in respect of any Session or in respect of any part of any Session during which such Member—

- (1.) Holds and receives an official salary in respect of any one or more of the Ministerial offices mentioned in the third schedule to "The Civil List Act 1863 Amendment Act, 1873," or any Ministerial office which may by law be substituted for or added to the offices mentioned in such schedule; or
- (2.) Is Speaker of the Legislative Council or of the House of Representatives respectively; or
- (3.) Is Chairman of Committees of the said Council or of the House of Representatives respectively.

No payments to be made without

7. No payment shall be made to any Member during Session or in respect of the month during which any prorogation occurs except upon the certificate of the

the Speaker of the Council or House of which the person claiming such payment shall be a Member, and thereafter during any period of recess, except upon the certificate of the Clerk of the Council or House aforesaid. Speaker's certificate.

8. No payment under this Act shall be anticipated or be capable of being pledged or given in security in any way whatever, or be liable to be seized or taken in execution under any process, or attached or charged in any way, under the order of any Court whatever during any existing Session of Parliament, save for liabilities incurred during such Session and incident to such attendance on Parliament. Payments not attachable during session.

9. "The Parliamentary Honorarium and Privileges Act, 1884," and "The Parliamentary Honorarium and Privileges Act, 1884, Amendment Act, 1887," are hereby repealed. Repeal.

— No. 8. —

Sir *H. W. Norman* to the Marquess of *Ripon*.—(Received June 27 1893.)

Government House, Brisbane, Queensland,
13 May 1893.

My Lord Marquess,
In reply to your Lordship's Circular Despatch of the 9th March last, requesting to be supplied with certain information respecting the payment of Members of the Colonial Legislature, I have the honour to forward for your Lordship's information a copy of a letter which I have received from my Chief Secretary, and also a copy of each of the following Acts, dealing with this question, viz. :—

11 May 1893.

53 Vict. Act No. 1. (Assented to 18th July 1889).—"An Act to Provide for the Payment of Members of the Legislative Assembly."

56 Vict. No. 27. (Assented to 15th November 1892).—"An Act to Amend 'The Payment of Members Act of 1889.'"

I have, &c.
(signed) *H. W. Norman*.

The Most Honourable the Secretary of State
for the Colonies.

Enclosure 1, in No. 8.

Chief Secretary's Office, Brisbane,
11 May 1893.

Sir,

I HAVE the honour to acknowledge the receipt from your Excellency of a copy of Lord Ripon's Circular Despatch of 9th March, 1893, requesting to be furnished with information, which is desired for a Return asked for by the Imperial House of Commons, as to the payment and privileges of Members of the Legislature of this Colony.

In reply, I have the honour to inform your Excellency that by "The Payment of Members Act 1892," Members of the Legislative Assembly of Queensland are entitled to payment at the rate of 150*l.* per annum, with travelling expenses at the rates and on the conditions set forth in the Schedule to "The Payment of Members Act of 1889," copies of both of which Acts are enclosed herewith. By "The Railways Act of 1888," Members of the Legislative Assembly are also entitled to hold and use a Pass, which enables them to travel free on railways vested in the Queensland Railways Commissioners during the period of their membership.

Members of the Legislative Council are also entitled to a similar Railway Pass, but they are neither paid for their services, nor do they receive any travelling allowance.

I have, &c.
(signed) *Thomas McIlwraith*.

His Excellency Sir Henry W. Norman, G.C.B., &c., &c.,
Governor.

Enclosure 2, in No. 8.

Q U E E N S L A N D.

No. 1.

An Act to provide for the Payment of Members of the Legislative Assembly.

[Assented to, 18th July 1889.]

Preamble.

WHEREAS it is right and expedient that provision should be made for the payment of Members of the Legislative Assembly for their services in the discharge of Parliamentary duties: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Repeal of 50 Vict.
No. 9.

1. "The Members' Expenses Act of 1886" is hereby repealed.

Allowances to
members.

2. (1.) Every Member of the Legislative Assembly shall be entitled to payment in the manner hereinafter provided, at the rate of three hundred pounds per annum, and, in addition thereto, to the allowances for mileage and passage money set forth in the Schedule to this Act.

(2.) The allowances for mileage and passage money shall not be payable in respect of more than one journey to and fro in or for any one Session, unless in the event of an adjournment extending over 30 days, in which case they shall be again payable after such adjournment.

Allowances when
to be paid.

3. The amounts to which each Member of the Legislative Assembly is entitled under the provisions of this Act shall be payable—

(a) In the case of a Member elected before the commencement of this Act, from the commencement of this Act;

(b) In the case of a Member elected after the commencement of this Act, from the time of his being sworn as a Member;

—until he ceases to be a Member of the Assembly, and shall be certified monthly by the Clerk of the Legislative Assembly, and when so certified, shall be paid out of the Consolidated Revenue;

Provided that if at any time when Parliament is not sitting, it is made to appear to the Governor in Council that the seat of any Member has become vacant for any cause, the Governor in Council may direct the Colonial Treasurer to retain the amounts which would be payable to such Member in respect of the interval between the happening of such cause and the next sitting or Session of Parliament.

If the Legislative Assembly thereafter declares the seat of such Member to have been vacated for that cause, no payment shall be made to him in respect of the time that has elapsed from the cause of his seat so becoming vacant; but if his seat is not declared to have been so vacated, the sum so retained by the Colonial Treasurer shall be forthwith paid to him.

No payment to
salaried members.

4. No member of the Legislative Assembly, whilst in the receipt out of the Consolidated Revenue of an official salary shall (to the amount of such salary) be entitled to receive any payment or allowances under this Act.

Short title.

5. This Act shall be styled and may be cited as "The Payment of Members Act of 1889," and shall commence and take effect on and from the end of this present Session of Parliament.

THE SCHEDULE.

1. For each mile, beyond the first three, which shall, for the purpose of attending Parliament be actually and necessarily travelled by land by the nearest practicable route between the usual residence of the Member in Queensland and the nearest seaport or railway station, or the place where Parliament shall be appointed to sit, whichever shall be nearest to such residence £ s. d.
- 1 6
2. The actual cost of passage by sea to and fro between any such seaport and the place where Parliament is appointed to sit.

Enclosure 3, in No. 8.

No. 27.

An Act to amend "The Payment of Members Act of 1889."

[Assented to, 15th November 1892.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "The Payment of Members Act of 1892," and shall be read and construed with and as an amendment of "The Payment of Members Act of 1889," hereinafter called the Principal Act. Short title and construction.
2. In the second section of the Principal Act the words "one hundred and fifty pounds" shall be substituted for the words "three hundred pounds" therein appearing, and that section shall from and after the commencement of this Act be read as if such substitution had been made therein accordingly. Allowance to Members to be reduced to 150*l*.
3. This Act shall commence and take effect on and from the first day of January, one thousand eight hundred and ninety-three. Commencement of Act.

— No. 9. —

Lieutenant Governor *Darley* to the Marquess of *Ripon*.—(Received 3rd July 1893.).

My Lord,

Government House, Sydney, 26 May 1893.

IN acknowledging the receipt of your Lordship's Circular Despatch requesting information respecting the payment of Members of the Legislature, in answer to an Address presented by the House of Commons to Her Majesty, I have the honour to forward, herewith, a memorandum, with enclosures, which I have received from the Colonial Secretary on the subject. 9 March 1893.

I have, &c.

(signed) *Fredk. M. Darley*,
Lieutenant Governor.

The Right Honourable
the Marquess of Ripon, K.G.,
&c. &c. &c.

Enclosure 1, in No. 9.

By the Parliamentary Representatives Allowances Act of 1889, of which a copy is enclosed, Members of the Legislative Assembly are allowed 300*l*. per annum each to reimburse them for expenses incurred in the discharge of Parliamentary duties.

0.152.

C

The

53 Vict. No. 12.

The Members of both the Legislative Council and the Assembly are entitled under the Government Railways Act, 1888 (copy herewith), to free passes allowing the holders to travel on all public railways, whilst Members of Parliament.

The Members (of whom five are elected from the Legislative Council and eight from the Assembly) composing the Parliamentary Standing Committee on Public Works, constituted under the Public Works Act of 1888, and formed for the purpose of inquiring into all proposed public works, the estimated cost of which exceeds 20,000*l.*, receive fees, under the Public Works Committees Remuneration Act (copy herewith) at the rate of: Chairman, 4*l.* 4*s.* per sitting, Members, 3*l.* 3*s.*; together with travelling expenses at the rate of 30*s.* per day, in addition to the railway pass, whilst inquiring into works, submitted for consideration, outside a certain fixed distance from Sydney.

All Members of Parliamentary Select Committees appointed upon inquiries necessitating their travelling, are reimbursed the actual amount of travelling expenses incurred.

Members of Parliament are allowed to travel free over the public lines of all other Australian Colonies on production of their New South Wales pass.

His Excellency,
(signed) *F. M. Darley.*

24 May 1893.

Enclosure 2, in No. 9.

NEW SOUTH WALES.

No. XII.

An Act to authorise the Payment to Members of the Legislative Assembly of an Annual Allowance as reimbursement for Expenses incurred in the discharge of their Parliamentary Duties.

[Assented to, 21st September 1889.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales, in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Parliamentary Representatives Allowance Act."

2. Every Member of the Legislative Assembly now serving or hereafter to serve therein shall, unless he is one of the persons specified or referred to in the next following section, be entitled to receive, by way of reimbursement for expenses incurred by him in the discharge of his Parliamentary duties, an allowance at the rate of three hundred pounds per annum; which allowance shall be charged on the Consolidated Revenue Fund, and be payable monthly at the rate aforesaid to every such Member of this present Legislative Assembly now serving, from the date of the passing of this Act, and to every such Member hereafter elected, from the time of his taking his seat, and in every case, until he shall resign or his seat be vacated, or until Parliament shall be dissolved, or shall expire by effluxion of time.

3. No Member of the said Assembly shall be entitled to the said allowance or any portion thereof while holding any office of profit specified in the Schedule to the "Constitution Act Amendment Act of 1884," or any other office of profit under the Crown, the acceptance of which would render vacant the seat of the person accepting the same, or while in the receipt of any official salary as Speaker of the said Assembly, or as Chairman of Committees thereof, or while in the receipt of any pension or allowance granted under any Act authorising the grant of superannuation allowances or pensions to officers in the Public Service. Provided always, that every Member of the said Assembly so in receipt of any pension or allowance as aforesaid shall be entitled to the allowance authorised by the last preceding section, subject to the abatement of such last-mentioned allowance by the amount received by him or to which he may be entitled as a pension or superannuation allowance.

51 Vict. No. 35.

53 Vict. No. 11.

Short title.

Allowance to
Members of Legis-
lative Assembly.

Exceptions.

Enclosure 3, in No. 9.

NEW SOUTH WALES.

No. XXXV.

An Act to make better provision for the Management of the Government Railways and Tramways of New South Wales and for other purposes connected therewith.

[Assented to, 17th May 1888.]

PART II.

Powers, Duties, &c., of the Railway Commissioners.

27. Each of the persons hereinafter mentioned shall be entitled to receive from the Commissioners, and to hold and use, a free pass which shall authorise the holder to travel free on all railways vested in the Commissioners, but which shall in no case be transferable; viz. :—

Issue of free passes

(I.) Every Member of the Legislative Council.

- (a) Every pass issued to a Member of such Council shall be issued in the name of the person entitled to the same.
- (b) Every such pass shall be forthwith returned to the Commissioners by the holder thereof or his agent or personal representative on his ceasing to be a Member of such Council.

(II.) Every Member of the Legislative Assembly.

- (a) The free pass to be issued to such Member shall be issued to him in the name of the electorate which he has been elected to represent.
- (b) Every such pass shall be returned to the Commissioners by the Member holding the same if the seat of such Member shall have been rendered vacant by his resignation or other act having the effect of vacating his seat in the Legislative Assembly under the law in force for the time being so soon as his successor shall have been elected.
- (c) The passes issued by the Governments of other Colonies to Members of the respective Parliaments of those Colonies shall be recognised and held to admit the holders thereof to travel upon the railways of New South Wales.
- (d) Any free pass granted for life or for any fixed period at the time of the passing of this Act, shall not be affected by these provisions.

(III.) Officers of Parliament.

- (a) The Commissioners shall have power, with the approval of the Governor, to issue from time to time, on application, passes, available for a period not exceeding one calendar month, to such Officers of Parliament as have been heretofore accorded that privilege.

(IV.) Every person who has held any of the offices enumerated in Schedule A. hereto, and whether before or after, or partly before and partly after the commencement of this Act.

- (a) Every such pass shall be issued in the name of the person entitled and shall be available during the term of his life, and shall bear on the face of it the name in full of the person to whom it is granted.

(V.) Any person of distinction visiting the Colony, or officially engaged in some public duty which renders it necessary for him to travel by railway, or who may have rendered some important public service to the Colony.

- (a) No such pass shall be issued for a period exceeding one calendar month.

(vi.) Every free pass issued under this section shall, in respect to the holder of such pass, and his personal representatives, be accompanied by, and entail, the like rights, remedies, obligations, and liabilities (except in respect of the payment of money therefor) as if the said pass had been a ticket issued to such holder for a money consideration.

SCHEDULE A.

Offices entitling persons to free passes for life :—

(I.) The position of (a) head of an Administration or of Prime Minister, held for two years consecutively or in the aggregate; (b) The position of a Member of the Executive Council, so held for four years.

(II.) The office of—

- (a) Chief Justice, held for three years.
- (b) Lieutenant Governor, held for one year.
- (c) President of the Legislative Council, held for one year.
- (d) Speaker of the Legislative Assembly, held for one year.

Enclosure 4, in No. 9.

NEW SOUTH WALES.

No. XI.

An Act to provide for the Remuneration of the Members of the Parliamentary Standing Committee on Public Works.

[Assented to, 21st September 1889.]

Preamble.

WHEREAS in the exercise of their office under the "Public Works Act of 1888," and the "Public Works Act Amendment Act of 1889," the Members of the Parliamentary Standing Committee on Public Works are required to undertake duties of a specially important and onerous nature, which duties are in a large measure beyond the scope of ordinary Parliamentary service: And whereas it is considered just that such services should be remunerated, and that travelling expenses should be allowed to the Members of every such Committee in the manner hereinafter provided. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title.

1. This Act may be cited as the "Public Works (Committee's Remuneration) Act of 1889."

Fees to be paid to Members of Parliamentary Standing Committee on Public Works.

2. The Members of every Parliamentary Standing Committee on Public Works, including the Standing Committee first appointed under the "Public Works Act of 1888," shall each receive, by way of remuneration for his services as a Member of such Committee, a fee for each attendance at a summoned meeting of such Committee at which a quorum shall have been present, according to the following scale :—

(I.) The Chairman, or Member presiding at any meeting in his absence :
Four guineas for each sitting.

(II.) Every other Member : Three guineas for each sitting.

Provided that nothing in this Act shall be taken to constitute the office of any Member of the said Committee an office of profit, so as to render such Member incapable of sitting or voting as a Member of the Legislature, or to make void the election of such Member.

Fees to be a charge on Consolidated Revenue.

3. The fees made payable under this Act shall be charged on the Consolidated Revenue Fund, and the certificate of the Chairman or Vice-Chairman of the said Committee shall be a sufficient warrant, and authority, and discharge to the Colonial Treasurer for the payment of such fees from such Fund.

4. In

4. In addition to the sum payable to every Member of such Committee as a sitting fee, he shall be paid a further sum of thirty shillings per diem on account of expenses incurred by him in, and in the course of, travelling, whether by land or water, whenever such expenses and charges have been incurred *bonâ fide* in the performance of his duties as a Member of such Committee, whilst outside the boundaries of the county of Cumberland. And such expenses and charges shall be chargeable in the same manner, and be paid by the same person, and on the like certificate, and in other respects in like manner as in the case of fees for sittings.

As to travelling expenses.

5. In all cases in which a Sectional Committee of the said Committee shall be engaged in the inspection of any Public Works outside the county of Cumberland, each day or part of a day occupied in such inspection shall be deemed to constitute one attendance of such Committee, and to entitle each Member thereof to a fee of three guineas.

Meetings of Sectional Committee outside county of Cumberland.

— No. 10. —

The Earl of *Hopetoun* to the Marquess of *Ripon*.—(Received 3rd July 1893.)

Government House, Melbourne, Victoria,
30 May 1893.

My Lord,

IN reply to your Lordship's Circular Despatch of the 9th March last, requesting for the House of Commons certain particulars respecting payment and other allowances granted to Members of Colonial Legislatures, I have the honour to transmit a copy of a Memorandum which I have received from this Government affording the desired information so far as it relates to this Colony.

The Most Honourable
The Marquess of Ripon, K.G., Q.C.
&c. &c. &c.

I have, &c.
(signed) *Hopetoun*.

Enclosure 1, in No. 10.

MEMORANDUM for His Excellency the Governor.

MEMBERS of the Legislative Council do not receive payment, but Members of the Legislative Assembly are entitled under Section 126 of the Constitution Act Amendment Act, 1890, 54 Vict. No. 1,075, to receive reimbursement for their expenses at the rate of 300*l.* per annum. A copy of this section is forwarded herewith. For the present financial year, however, this payment is under the Ministers, Members, and Officers Retrenchment Act, 1892 (copy herewith), reduced to 285*l.* per annum.

Members of both Houses of Parliament are allowed free passes over the railways (which are all under Government control), and by a condition (copy herewith) inserted in contracts for the conveyance of mails, provision is made for Members to travel, free of charge, by mail coaches, &c., between the districts they represent and the districts in which they reside and Melbourne.

Premier's Office,
Melbourne, 29 May 1893.

(signed) *J. B. Patterson*,
Premier.

Enclosure 2, in No. 10.

Section 126 of Constitution Act Amendment Act, 1890, No. 1,075.

Division 3.—Reimbursement of Members' Expenses.

Members of the
Legislative
Assembly to be
reimbursed their
expenses.
Act. No. 888, s. 1.

126. Every Member of the Legislative Assembly shall be entitled to receive reimbursement of his expenses in relation to his attendance in the discharge of his Parliamentary duties at the rate of 300*l*. per annum, and such reimbursement shall be payable out of the consolidated revenue to every such Member from the time of taking his seat until his resignation thereof or his retirement therefrom by effluxion of time or the dissolution of the Assembly, as the case may be, anything contained in Division 2 of Part II. of this Act to the contrary notwithstanding. Provided that no Member whilst in receipt out of the consolidated revenue of an official salary or any annual payment shall (to the amount of such salary or payment) be entitled to receive such reimbursement as aforesaid.

Enclosure 3, in No. 10.

LEGISLATIVE COUNCIL.

Reserved for Her Majesty's Assent.

A Bill intituled An Act providing for the Reduction for the Financial Year ending on the Thirtieth day of June One thousand Eight hundred and Ninety-three of the Salaries and Reimbursements payable to Responsible Ministers, Members of the Legislative Assembly, and certain Public Officers.

ANALYSIS OF CONTENTS.

- Preamble.
1. Short Title and Commencement.
2. Reduction to apply to Ministers and certain officers.
3. Reduction limited to one year.
4. Rates of pension of Officers not affected by reduction.

5. Reduction of Rate of Reimbursement of Expenses payable to Members of Legislative Assembly.
6. Exemption.
Schedule.

A Bill intituled An Act providing for the Reduction for the Financial Year ending on the Thirtieth day of June One thousand Eight hundred and Ninety-three of the Salaries and Reimbursements payable to Responsible Ministers, Members of the Legislative Assembly, and certain Public Officers.

Preamble.

WHEREAS it is expedient and necessary that for the financial year ending on the thirtieth day of June One thousand eight hundred and ninety-three a rateable reduction according to the scale set forth in the Schedule to this Act be made in the salary or pay of every person (other than the Governor and the Judges of the Supreme Court) in the public service of Victoria whose salary or pay is within the limits of such scale and also in the reimbursement of expenses payable to Members of the Legislative Assembly notwithstanding that the necessary provision for paying the same is made by special appropriation in the Constitution Act or by any other Act: And whereas it is expedient to restrict the operation of the said reduction to the said financial year, and to provide that the said reduction shall not affect the rate of any pension superannuation or retiring allowance or any gratuity or compensation for loss of office to which any officer may at any time become entitled: Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Schedule.

19 Vict Schedule D.

Short title and
commencement.

1. This Act may be cited as the "Ministers' Members' and Officers' Salaries and Reimbursement Retrenchment Act, 1892," and shall be deemed and taken to have come into operation on the first day of July in the year One thousand eight hundred and ninety-two.

2. Notwithstanding

2. Notwithstanding anything contained in any Act every responsible Minister of the Crown or officer whose salary or pay is provided for by or paid out of the permanent appropriation of the consolidated revenue made by the Constitution Act and specified in Schedule D. thereof or provided for by section fifteen of "The Constitution Act Amendment Act, 1890," and also every officer of Parliament within the meaning of Part IX. of the last-mentioned Act whose salary is provided for by an annual Appropriation Act instead of being paid the rate of salary or pay which except for this Act he would have been entitled to receive shall for the financial year ending on the thirtieth day of June One thousand eight hundred and ninety-three without further or other authority than this Act be paid such rate less the rate of reduction specified in the Schedule to this Act opposite to the rate of salary or pay of such Minister or officer, and such rate of reduction shall be calculated on the total amount of salary or pay from all sources to which any Minister or officer is entitled and for the said financial year the several sums mentioned in the Second Third and Fourth Parts of the said Schedule D. and in the said section fifteen shall be reduced in amount accordingly.

Reduction to apply to Ministers and certain officers.

Schedule.

3. Such reduction shall affect the salary or pay of such Ministers and officers only for the financial year ending on the thirtieth day of June One thousand eight hundred and ninety-three, and after the expiration of the said year the salary or pay of such Ministers and officers shall be at such rates as if such reduction had not been made and this Act had not passed.

Reduction limited to one year.

4. The rate of pension or superannuation or retiring allowance or compensation or gratuity for loss of office or on death to which any officer or his representatives shall at any time hereafter become entitled pursuant to any Act shall not be lessened or diminished in consequence of any reduction at the rate specified in the Schedule to this Act having been made pursuant to this Act in the salary or pay of the office or position held by such officer during the said financial year; but such pension, superannuation or retiring allowance or compensation or gratuity shall be paid at the same rate as would have been paid if no such reduction of salary or pay had been made.

Rates of pension of officers, &c., not affected by reduction.

Schedule.

5. For the financial year ending on the thirtieth day of June One thousand eight hundred and ninety-three, section one hundred and twenty-six of "The Constitution Act Amendment Act, 1890," shall be read and construed as if for the words "Three hundred" there were substituted the words "Two hundred and eighty-five."

Reduction of rate of reimbursement of expenses payable to Members of Legislative Assembly.

6. This Act shall not apply to the Governor or the Judges of the Supreme Court.

Exemption.

SCHEDULE.

Sections 2 and 4.

RATE of Reduction to be made in the Salary of Responsible Ministers and Certain Officers for the Financial Year 1892-93.

Salary or Pay per Annum.	Rate of Reduction.
One hundred and fifty pounds and under Three hundred pounds.	Two pounds and ten shillings per centum.
Three hundred pounds and under Seven hundred and fifty pounds.	Five pounds per centum.
Seven hundred and fifty pounds and upwards.	Seven pounds and ten shillings per centum.

Enclosure 4, in No. 10.

Free Conveyance by Coast, &c., of Members of Parliament.

7. *Members of Parliament and Officers of the Post Office and Telegraph Department to be carried without Charge.*—The Contractor shall provide, free of charge, a proper seat and conveyance in such vehicles and boats for Members of Parliament travelling between the districts they represent and the districts in which they reside and Melbourne; also for the Postmaster General and Deputy Postmaster General travelling on any of the mail lines of the colony; and, when required by writing under the hand of the Postmaster General, for any person travelling on the service of the Post Office and Telegraph Department; the Inspectors of Postal and Telegraph Service to have the option of occupying a seat beside the driver of any mail conveyance.

— No. 11. —

The Earl of *Derby* to the Marquess of *Ripon*.—(Received 5th July 1893.)Cascapedia River, New Richmond,
19 June 1893.

My Lord,

IN reply to your Lordship's Circular Despatch of the 9th March last, requesting information as to payment of Members of the Legislature in Canada, I have the honour to forward herewith copy of an approved Minute of the Privy Council submitting the desired information.

I have, &c.
(signed) *Derby*.

The Most Honourable
The Marquess of Ripon, K.G.,
&c. &c. &c.

Enclosure 1, in No. 11.

Certified Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 12th June 1893.

THE Committee of the Privy Council have had under consideration a Circular Despatch, hereto attached,* dated 9th March 1893, from the Marquis of Ripon, stating that an Address has been presented by the House of Commons to Her Majesty for a Return "showing with respect to the Colonies of Great Britain, " the United States of America, and the countries of Europe, whether payment " of Members of the Legislature obtains, the amounts or scale of such payment, " and, whether it includes, or whether there is in addition thereto, any allow- " ance for travelling expenses, or the privilege of free passes over the railways " of those countries," and requesting the desired information in so far as it relates to Canada.

The Secretary of State to whom the Despatch was referred, submits copies of various letters of reply received on the subject, together with copies of the several enclosures referred to in the said replies.

The Committee, on the recommendation of the Secretary of State, advise that your Excellency be moved to forward a certified copy of this Minute, together with the Enclosures, to the most honourable the Secretary of State for the Colonies.

All of which is respectfully submitted.

John J. McGee,
Clerk of the Privy Council.

12 June 1893.

• No. 1.

Enclosure 2, in No. 11.

The Senate, Canada.—Ottawa,

26 April 1893.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 17th instant, transmitting copy of a Circular Despatch from the Colonial Office, requesting information in connection with a Return moved for in the Imperial House of Commons on the subject of the payment of Members of the Legislature.

Enclosed herewith you will find a memorandum of the Acts under which the Members of the Senate are paid a sessional or per diem allowance, as the case may be, according to their attendance, and, in addition thereto, an allowance for travelling expenses of 10 cents for each mile of the distance going from, and returning to, their residences.

I have, &c.

(signed) *Edouard J. Langevin,*

L. A. Catellier, Esq.,

Clerk of the Senate.

Under Secretary of State.

Memorandum for the Honourable the Secretary of State respecting the Indemnity and Mileage of Senators.

Revised Statutes of Canada, Chapter 11, Sections 25 to 33.

Form C. of Schedule.

52 Victoria, Chapter 10, amending Section 32, and substituting a new section and sub-section for Section 33 of the above Act.

Statutory provision for the payment of a sessional indemnity of 1,000 dollars if the Session extends beyond 30 days.

Of 10 dollars a day if the Session does not extend beyond 30 days.

Of an allowance for travelling expenses of 10 cents for each mile of the distance from the place of residence to the place where the Session is held, and returning.

Provisions respecting absence and attendance.

House of Commons, Canada.—Ottawa,

27 April 1893.

Sir,

IN reply to your letter, No. 1484, file No. 2192, I have the honour to transmit copies of the Act respecting indemnity and mileage payable to Members of the Senate and House of Commons.

I have, &c.

(signed) *Jno. Geo. Bourinot.*

L. A. Catellier, Esq.,

Under Secretary of State.

CHAPTER 11.

An Act respecting the Senate and House of Commons.

A.D. 1886.

HER MAJESTY, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

INDEMNITY.

25. In each Session of Parliament there shall be allowed to each Member of the Senate and House of Commons, attending at such Session, ten dollars for each day's attendance, if the Session does not extend beyond thirty days; and

Members' indemnity.

if the Session extends beyond thirty days, then there shall be payable to each Member of the Senate and House of Commons attending at such Session a sessional allowance of one thousand dollars and no more. 36 V. c. 31, s. 13, *part*.

Deductions for non-attendance.

26. A deduction at the rate of eight dollars per day shall be made from such sessional allowance for every day on which a Member does not attend a sitting of the House of which he is a Member, or of some Committee thereof, if the House sits on such day; but each day during the Session after the first on which the Member attends as aforesaid, on which there has been no sitting of such House, in consequence of its having adjourned over such day, or on which the Member was in the place where the Session was held, but was prevented by sickness from attending any such sitting as aforesaid, shall be reckoned as a day of attendance at such Session for the purposes of such indemnity; and a Member shall, for the said purposes, be held to be at the place where the Session is held whenever he is within ten miles of such place. 31 V. c. 3, s. 2; 36 V. c. 31, s. 13, *part*.

What shall be reckoned as days of attendance.

Allowance for less than 31 days' attendance.

27. A Member shall not be entitled to the said sessional allowance for less than thirty-one days' attendance, reckoned as aforesaid, but his allowance for any less number of days shall be ten dollars for each day's attendance. 31 V. c. 3, s. 3; 36 V. c. 31, s. 13, *part*.

How the indemnity shall be payable.

28. The said compensation may be paid, from time to time, as the Member becomes entitled to it, to the extent of seven dollars for each day's attendance as aforesaid, but the remainder shall be retained by the clerk or accountant of the proper House, until the close of the Session, when the final payment shall be made. 31 V. c. 3, s. 4; 39 V. c. 8, s. 1.

Case of a Member for part of a Session provided for.

29. If any person is from any cause a Member of either House for a part only of any Session, then, provided he is a Member for upwards of thirty days during such Session, he shall be entitled to the sessional allowance hereinbefore mentioned, subject to the deduction aforesaid for non-attendance as a Member, and also to a deduction of eight dollars for each day of such Session before he was elected or appointed, or after he ceased to be a Member, as the case may be; but if he is a Member for only thirty days or less, he shall be entitled only to ten dollars for each day's attendance at such Session, whatever is the length thereof. 31 V. c. 3, s. 5; 36 V. c. 31, s. 13, *part*.

Allowance for mileage.

30. There shall also be allowed to each Member of the Senate and of the House of Commons ten cents for each mile of the distance between the place of residence of such Member and the place at which the Session is held, reckoning such distance going and coming according to the nearest mail route, which distance shall be determined and certified by the Speaker of the Senate or House of Commons, as the case may be. 31 V. c. 3, s. 6.

Final payment at the close of the Session.

31. The sum due to each Member at the close of any Session shall be calculated and paid to him by the Clerk of the Senate, if he is a Senator, or by the Accountant of the House of Commons, if he is a Member of the House of Commons, on his making and signing, before the Clerk or Accountant or Assistant Accountant of the House of which he is a Member, as the case may be, or a Justice of the Peace, a solemn declaration (to be kept by the Clerk of the Senate or Accountant of the House of Commons, as the case may be), stating the number of days' attendance and the number of miles of distance according to the nearest mail route as determined and certified by the Speaker, for which such Member is entitled to the said allowance, and the amount of such allowance, after deducting the number of days, if any, which are to be deducted under any preceding section of this Act; and such declaration may be in the Form C. in the Schedule to this Act, and shall have the same effect as an affidavit in the same form. 31 V. c. 3, s. 7; 31 V. c. 27, s. 12, *part*.

Declaration to be made.

Grant for paying the allowance.

32. There is hereby granted to Her Majesty, out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada, an annual sum sufficient to enable Her Majesty to advance to the Clerk of the Senate and to pay over to the Minister of Finance and Receiver General, for the Senate and House of Commons respectively, such sums as are required to pay the estimated amount of the sessional allowance hereinbefore mentioned. 31 V. c. 3, s. 8; 31 V. c. 27, s. 12, *part*.

33. The

33. The Clerk of the Senate and the Accountant of the House of Commons shall respectively account for all moneys received by them under this Act, in the same manner as for moneys advanced to them for the contingent expenses of the Senate and House of Commons, and they may, respectively, apply any surplus thereof to the payment of such contingent expenses, and may supply any deficiency of such estimated amount out of any moneys in their hands respectively, applicable to the payment of such contingent expenses. 31 V. c. 3, s. 9; 31 V. c. 27, s. 12, *part*.

Officers to account for moneys received by them.

SCHEDULE.

Form C.

I, A. B., one of the Members of the Senate (*or* House of Commons), solemnly declare, that I reside at _____ in _____ which is distant by the nearest mail route _____ miles, as determined by the Speaker of this House, from _____ where the Session of the Parliament of Canada, which began on the _____ day of _____ one thousand eight hundred and _____ was held —

That the first day during the said Session on which I was present, at _____ where the said Session was held, was the _____ day of _____ one thousand eight hundred and _____

That on the said day and on each day of the said Session, after the said day on which there was a sitting of the said House, I attended such sitting, or a sitting of some Committee thereof, * except only on days * * on _____ of which I was prevented by sickness from attending as aforesaid, though I was then present at _____ * * *

Declared before me at _____ (Signature), A.B. this _____ day of _____ one thousand eight hundred and _____

C.D.

Clerk (*or* Accountant *or* Assistant Accountant) of the Senate (*or* the House of Commons) *or* Justice of the Peace for the _____ of _____ (*as the case may be*).

[If the Member attended a sitting of the House or of some Committee on every sitting day after the first on which he so attended, omit the words from * _____ to * * * ; and if his non-attendance was not on any day occasioned by sickness, omit the words from * * to * * *]

If the person making the declaration became or ceased to be a Member after the commencement of the Session, vary the form, so as to state correctly the facts upon which the sum due to the Member is to be calculated.] 31 V. c. 3, sch.

52 Victoria, Chapter 10.

An Act to amend Chapter Eleven of the Revised Statutes, intituled "An Act respecting the Senate and House of Commons."

[Assented to, 16th April 1889.]

HER MAJESTY, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Sections thirty-two and thirty-three of the "Act respecting the Senate and House of Commons" are hereby repealed, and the following two sections are substituted therefor:—

Sections 32 and 33 of R.S.C., c. 11, repealed; new provision.

"32. There is hereby granted to Her Majesty, out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada, an annual sum sufficient to enable Her Majesty to pay the amount of the sessional allowances hereinbefore mentioned.

Sums granted to Her Majesty for the purposes of this Act.

How expended as to
House of Commons.

"33. All moneys expended under this Act, in respect of the House of Commons, shall be expended and accounted for in the same manner as moneys for defraying the contingent expenses of the House of Commons are to be expended and accounted for under Chapter thirteen of the Revised Statutes, intituled 'An Act respecting the House of Commons,' as amended by any subsequent Act.

And as to the
Senate.

"2. Credits for all sums voted by Parliament and payable in respect of allowances to Members of the Senate as hereinbefore provided, and in respect of other expenditure for the service of the Senate, shall issue from time to time; and such credits shall issue on one of the banks of Canada in favour of the Clerk of the Senate and the Assistant Accountant of the Senate, or such other persons as the Speaker of the Senate from time to time designates for the purpose; and the said Clerk shall from time to time apply for such credits as he deems necessary, by an order signed by him."

Enclosure 3, in No. 11.

Government House, Toronto,
1 May 1893.

Sir,

ADVERTING to your Despatch of the 17th ultimo, and transmitting, for the information of my Government, copy of a printed Circular Despatch from the Colonial Office asking for certain information required by Her Majesty's Government in connection with a Return moved for in the Imperial House of Commons on the subject of the payment of allowances made to Members of the Legislature in the several Colonies of Great Britain, and applying for a memorandum embodying the information desired in the Return, so far as it relates to the Province of Ontario, I have now the honour to enclose herewith copy of a Report, with the papers and documents therein referred to, received from the Clerk of the Legislative Assembly of this Province.

I have, &c.
(signed) *George A. Kirkpatrick*,
Lieutenant Governor of Ontario.

To the Honourable the Secretary of State,
Ottawa, Ontario.

Clerk's Office, Legislative Assembly of Ontario,
Toronto, 27 April 1893.

Sir,

I HAVE the honour to report, with reference to the inquiries contained in a Circular Letter, dated Downing-street, 9th March 1893, asking for information as to the system of payment of Members of the Legislature which obtains in any of the Colonies of Great Britain, that each of the Members of the Legislative Assembly of the Province of Ontario receives the sum of six hundred dollars (\$600) for attendance at a Session of such Legislature when the Session extends beyond (30) days, or is paid at the rate of six dollars (\$6) for each day's attendance if the length of the Session does not exceed 30 days.

A deduction of four dollars (\$4) per day is made from the sessional allowance for every day upon which the Member does not attend a sitting of the House, or of some Committee thereof, provided that the House sits on such day.

Mileage is paid to each Member once during a Session at the rate of 10 cents each mile, going and coming according to the nearest mail route, between the residence of the Member and the city of Toronto, where meetings of the Legislatures are held.

No privileges or free papers or railways for Members of the Legislature are provided for by law in the Province of Ontario.

I append extracts from Chapter II. of the Revised Statutes of Ontario, 1887, relating to the Legislative Assembly, and bearing upon the payment of indemnity, and a copy of a declaration made by each Member before receiving the full amount of sessional allowance due to him.

The Honourable
The Attorney General of Ontario.

I have, &c.
(signed) *Charles Clarke*,
Clerk L. A. Ontario.

Extract from Chapter II., Revised Statutes of Ontario, 1887.

62. In every Session of the Legislative Assembly there shall be allowed to each Member of the Legislative Assembly attending at the Session six dollars for each day's attendance, if the Session does not extend beyond 30 days, and if the Session extends beyond 30 days, then there shall be payable to each Member attending at such Session a sessional allowance of such sum as may from time to time be appropriated for the purpose.—R.S.O., 1877, c. 12, s. 59.

63. A deduction at the rate of four dollars per day shall be made from the sessional allowance for every day on which the Member does not attend a sitting of the House, or of some Committee thereof, provided the House sits on such day, but each day during the Session after the first on which the Member attends, as aforesaid, on which there has been no sitting of the House, in consequence of its having adjourned over the day, or on which the Member was in the place where the Session was held, but was prevented by sickness from attending the sitting, as aforesaid, shall be reckoned as a day of attendance at the Session for the purpose of this Act, and a Member shall, for the purposes aforesaid, be held to be at the place where the Session is held whenever he is within 10 miles of such place.—R.S.O., 1877, c. 12, s. 60.

64. A Member shall not be entitled to the said sessional allowance for less than 31 days' attendance, reckoned as aforesaid, but his allowance for any less number of days shall be six dollars for each day's attendance.

65. The compensation may be paid from time to time as the Member becomes entitled to it, to the extent of four dollars for each day's attendance, as aforesaid, but the remainder shall be retained by the Clerk of the House until the close of the Session, when the final payment shall be made.

66. If a person is from any cause a Member of the Legislative Assembly for a part only of a Session, then, provided he is a Member for upwards of 30 days during the Session, he shall be entitled to the sessional allowance hereinbefore mentioned, subject to the deduction aforesaid for non-attendance as a Member, and also to a deduction of four dollars for each day of the Session before he was elected, or after he ceased to be a Member; but if he is a Member for only 30 days or less, then he shall be entitled only to six dollars for each day's attendance at the Session, whatever be the length thereof.

67. There shall be also allowed to every Member 10 cents for every mile of the distance between the place of residence of the Member and the city of Toronto, reckoning the distance going and coming according to the nearest mail route, which distance shall be determined and certified by the Speaker.

68. The sum due to every Member at the close of a Session shall be calculated and paid to him by the Clerk of the House, on his making and signing before the Clerk or Accountant of the House, or a Justice of the Peace, a solemn declaration to be kept by the Clerk, stating the number of miles of distance according to the nearest mail route, as determined and certified by the Speaker, for which he is entitled to the said allowance, and the amount of such allowance, after deducting the number of days (if any), which are to be deducted under any preceding section of this Act; and the declaration may be in form of Schedule C., hereunto annexed, and shall have the same effect as an affidavit in the same form.

69. There is hereby granted to Her Majesty, out of any unappropriated moneys forming part of the Consolidated Revenue Fund of this Province, an annual sum sufficient to enable Her Majesty to advance to the Clerk of the Legislative Assembly such sums as are required to pay the estimated amounts of the sessional allowance hereinbefore mentioned.

70. The Clerk of the Legislative Assembly shall account for all moneys received by him under this Act, in the same manner as for moneys advanced to

Enclosure 4, in No. 11.

Hotel du Gouvernement, Québec,
8 Juin 1893.

Monsieur,

J'AI l'honneur d'accuser réception de votre dépêche en date du 3 Juin courant, par laquelle vous appelez mon attention à une lettre que vous m'avez adressée le 17 avril dernier, demandant des renseignements au sujet de l'indemnité sessionnelle et toute autre allocation payées aux membres de la Législature de Québec.

En réponse j'ai l'honneur de vous informer que l'indemnité sessionnelle des membres du Conseil Législatif et des députés de l'Assemblée Législative est de six (6) piastres par jour si la session ne s'étend pas au-delà de trente jours, et de huit cents (800) piastres par session, si elle dure plus de trente jours.

L'allouance pour frais de voyage est de dix centimes par chaque mille de distance entre la résidence et la capitale pour l'aller et le retour, lorsque les membres du Conseil Législatif et les députés de l'Assemblée Législative sont appelés pour la dépêche des affaires.

Le gouvernement n'est propriétaire d'aucun chemin de fer dans la province.

J'ai, etc.

(signé) *A. Lacoste*,
Administrateur.L'Honorable Secrétaire d'État,
Ottawa.

Enclosure 5, in No. 11.

Government House, Victoria,
27 May 1893.

Sir,

I HAVE the honour to transmit to you herewith a certified copy, in triplicate, of a Report of a Committee of my Executive Council, approved by me on the 12th May 1893, affording the information desired, so far as this province is concerned, in your communication of the 17th April, and in the Circular Letter enclosed therein, asking for certain information in connection with a Return of the Imperial House of Commons with reference to the payment of Members of the Legislature in the Colonies of Great Britain.

I have, &c.

(signed) *E. Dewdney*,
Lieutenant Governor.The Honourable the Secretary of State,
Ottawa.

Province of British Columbia.

COPY of a Report of a Committee of the Honourable the Executive Council, approved by His Honour the Lieutenant Governor on the 12th day of May 1893.

THE Committee of Council have had before them a communication from the Honourable the Secretary of State, dated the 17th instant, transmitting a copy of a Circular Despatch of the 9th ultimo, from the Right Honourable the Secretary of State for the Colonies, requesting certain information required by Her Majesty's Government in connection with a Return moved for in the House of Commons relative to the payment of Members of the Legislature in the Colonies of Great Britain.

The Provincial Secretary, to whom the matter was referred, observes with regard to the Province of British Columbia, that the "Constitution Act" provides that in each Session of the Legislative Assembly there shall be paid to each Member of the Assembly attending at such Session a sessional allowance of (\$600.00) six hundred dollars.

That a deduction at the rate of six dollars per day shall be made from the said sessional allowance for every day on which the Member does not attend a sitting of the House, or of some Committee thereof, provided the House sits on such day, but each day during the Session after the first on which the Member attends, as aforesaid, on which there has been no sitting of the House, in consequence of its having adjourned over such day, or on which the Member was in the place where the Session was held, but was prevented by sickness from attending any such sitting, as aforesaid, shall be reckoned as a day of attendance at such Session for the purposes of this Act, and a Member shall, for the purposes aforesaid, be held to be at the place where the Session is held whenever he is within 10 miles of such place.

That if any person is from any cause a Member of the Legislative Assembly for a part only of any Session, then provided he is a Member for upwards of 30 days during such Session, he shall be entitled to the sessional allowance hereinbefore mentioned, subject to the deduction aforesaid for non-attendance as a Member, and also to a deduction of four dollars for each day of such Session before he was elected, or after he ceased to be a Member, but if he is a Member for less than 30 days, then he shall be entitled only to six dollars for each day's attendance at such Session, whatever be the length thereof.

That the said compensation may be paid from time to time, as the Member becomes entitled to it, to the extent of six dollars for each day's attendance, as aforesaid, but the remainder shall be retained by the Clerk of the House until the close of the Session, when the final payment shall be made.

The Minister further observes that the said Act authorises the payment to each Member of mileage at the rate of (25 cents) twenty-five cents for each mile of the distance between the place of residence or the electoral district of such Member and the city of Victoria, reckoning such distance going and coming according to the nearest mail route, but that no privilege of free passes on the railways of the province is granted by the Government.

The Committee submit the same for your Honour's approval, and recommend that a certified copy of this Report be forwarded to the Honourable the Secretary of State for Canada, and that a further certified copy be also forwarded for transmission to the Right Honourable the Secretary of State for the Colonies.

Victoria, 25 April 1893.

Certified,
(signed) *Theodore Davie*,
Clerk Executive Council.

Enclosure 6, in No. 11.

Government House, Halifax, N.S.,
25 April 1893.

Sir,

I HAVE the honour to acknowledge the receipt of your Despatch of the 17th April 1893, and I beg to enclose a copy of a Report from the Honourable Provincial Secretary giving the information regarding the payment of allowances to Members of the Legislature of this province, as desired by your Despatch above referred to.

I have, &c.
(signed) *M. B. Daly*,
Lieutenant Governor.

The Honourable
The Secretary of State for Canada,
&c. &c. &c.,
Ottawa.

Provincial Secretary's Office, Halifax,
21 April 1893.

Sir,

I HAVE the honour to acknowledge the receipt through your Honour of a copy of a Despatch from the Most Honourable the Colonial Secretary of his Excellency the Governor General of Canada, requesting information sought by an Address of the Imperial House of Commons to Her Majesty for a Return "showing with respect to the Colonies of Great Britain, the United States of America,

America, the countries of Europe, whether payment of Members of the Legislature obtains, the amounts or scale of such payments, and whether it includes or whether there is in addition thereto, any allowance for travelling expenses, or the privilege of free passes on the railways of those countries."

I have the honour to furnish the desired information as respects the Province of Nova Scotia.

There is no Statute in this Province regulating the payment of Members of the Legislature, but such Members receive payment in accordance with long established custom, and a sum is annually voted in the Estimates to cover this allowance. The present allowance to each Member of the two Houses (Legislative Council and House of Assembly) is 500 dollars (about 102*l.* 14*s.* 9*d.* sterling) per Session. In addition to this each Member is entitled to a travelling allowance at the rate of 15 cents (about 7*d.* sterling) per mile for the distance from his home to the capital, and the same for the return journey. There is no arrangement respecting free passes on railways. The Provincial Government does not control any railways. The railways of the Province are owned by the Government of the Dominion of Canada or by private companies. Individual Members may have passes over these roads, but there is no general system, and the pass question does not enter into consideration in connection with the Legislative allowance.

I have, &c.
(signed) *W. S. Fielding.*

His Honour the Lieutenant Governor,
&c. &c. &c.

Enclosure 7, in No. 11.

Government House, Fredericton, N.B.,
22 April 1893.

Sir,

I HAVE the honour to acknowledge the receipt of your Despatch, No. 1479, and, in reply, beg to state, that the Sessional pay of the Members of the Legislative Assembly of New Brunswick is 300 dollars each, and an allowance of 10 cents. per mile travelling expenses. No free passes of the railway.

I have, &c.
(signed) *S. L. Tilley,*
Lieutenant Governor.

The Honourable the Secretary of State,
Ottawa.

Enclosure 8, in No. 11.

Government House, Prince Edward Island,
22 April 1893.

Sir,

I HAVE the honour to acknowledge the receipt of your Despatch, dated 17th instant (with its Enclosures), of a "Copy of a Circular Despatch from the Colonial Office, asking for certain information required by Her Majesty's Government in connection with a Return moved for in the House of Commons, on the subject of the payment of allowances made to Members of the Legislature in the several Colonies of Great Britain," and asking to be supplied with a Memorandum embodying the information required so far as it relates to the Province of Prince Edward Island. In compliance with your request I transmit herewith a Memorandum containing the desired information.

I have, &c.
(signed) *W. W. Sullivan,*
Administrator.

The Honourable the Secretary of State,
Ottawa.

RETURN RELATING TO

Provincial Secretary, Prince Edward Island.

MEMORANDUM.

THERE is paid, by the Government of Prince Edward Island, out of the amount annually voted for the contingent expenses of the Legislature, the sum of four hundred dollars each, to the President of the Legislative Council, and the Speaker of the House of Assembly, and the sum of one hundred and sixty dollars to each of the other Members of the Legislature for his attendance during each Session, together with his travelling expenses in coming to, and returning from, his Legislative duties, at the rate of eleven cents per mile, and also the sum of twelve dollars to each of the said Members for stationery and postage.

Charlottetown, 22 April 1893.

(signed) *Arthur Newbery*,
Assistant Provincial Secretary.

Enclosure 9, in No. 11.

Government House, Winnipeg.

Sir,

22 April 1893.

WITH further reference to your Despatch, No. 1482, File No. 2192, transmitting copy of a circular letter from the Colonial Office making certain inquiries as to the payment of Members of the Legislature in the several Colonies of Great Britain, and my letter, No. 123-C., in reply thereto, I have now the honour to supply the information in the premises furnished by my Government, as follows :

“ Department of the Provincial Secretary,
Winnipeg, 22 April 1893.

“ Sir,

“ I HAVE the honour to acknowledge the receipt of the communication of your Honour's private secretary of the 20th instant, transmitting a copy of a Despatch from the Under Secretary of State, with a copy of a Circular Despatch from the Colonial Office asking for certain information on the subject of payment of allowances made to Members of the Legislatures, and, in reply, to state that each of the Members of the Legislative Assembly of the Province of Manitoba, is entitled, under the law, to a payment of 600 dollars for each full Session attended by such Member, and to the sum of 10 cents per mile for the distance travelled by such Member in going to, and returning from, the place where such Session is held, and that there is no privilege in the way of free transportation on any railway in this Province, extended to any Member of the Legislative Assembly.

“ His Honour
The Lieutenant Governor of the
Province of Manitoba.

“ I have, &c.
(signed) *Clifford Sifton*,
Acting Provincial Secretary.”

The Under
Secretary of State, Ottawa.

“ I have, &c.
(signed) *John Schultz*.
Lieutenant Governor.”

Enclosure 10, in No. 11.

Sir,

Lieutenant Governor's Office, Regina,
North-West Territories, 22 April 1893.

I AM directed by his Honour the Lieutenant Governor of the North-West Territories to acknowledge the receipt of your letter, No. 1483, 2192, transmitting copy of a printed Circular Despatch from the Colonial Office, asking for certain information, required by Her Majesty's Government in connection with
a Return

a Return moved for in the House of Commons, on the subject of the payment of allowances made to Members of the Legislature in the several Colonies of Great Britain.

I am, in reply, to forward the enclosed Memorandum, which embodies the information desired in the Return, so far as it relates to the North-West Territories.

The Under Secretary of State,
Ottawa.

I have, &c.
(signed) *R. B. Gordon*,
Secretary to Lieutenant Governor,
North-West Territories.

MEMORANDUM.

Legislative Assembly.—North-West Territories of Canada.

Allowance to Members.—500 dols. per Session to each Member.

Speaker.—500 dols. and additional per Session.

Travelling Expenses.—Travelling and hotel expenses from Member's home to Regina and back.

Railway Passes.—No free railway transportation.

The Legislative Assembly of the North-West Territories consists of twenty-six (26) Members, One House.

— No. 12. —

Acting Governor *Dobson* to the Marquess of Ripon.—(Received 18 July 1893.)

My Lord,

Government House, Hobart,
10 June 1893.

IN reference to your Lordship's Circular Despatch of the 9th of March last I have the honour to transmit the enclosed Memorandum, which I have received from my Prime Minister.

The Right Honourable
The Marquess of Ripon, K.G.,
Colonial Office.

I have, &c.
(signed) *W. L. Dobson*.

Enclosure 1, in No. 12.

MEMORANDUM for His Excellency the Administrator of the Government.

Sir,

Premier's Office, Hobart, 31 May 1893.

IN reply to the Circular Dispatch from the Right honourable the Secretary of State for the Colonies, dated 9th March 1893, asking for information relative to the payment of Members of Parliament in Tasmania, the Premier has the honour to state that under the provisions of the Act 54 Vict. No. 20, Members of the Legislature in this Colony are allowed a fixed sum of one hundred pounds (100*l.*) per annum to reimburse them their expenses in relation to attendance in Parliament. The Act 55 Vict No. 29 also bears on the same subject as regards details; the sum named under 54 Vict. No. 20 has since been reduced to seventy-five (75*l.*) per annum during the year 1893, in consequence of a general curtailment in public expenditure arising from a period of depression thought to be of a temporary character. Copies of the Acts of Parliament referred to are forwarded herewith for your Excellency's information.

In addition to this direct payment from the Treasury, Members of the Legislature have also the privilege of free railway passes granted to them,

available for the whole time each shall remain a Member of Parliament. As the railways are, with one or two exceptions, the property of the Government, no money value is attached to this service. The Member for each district has also the right to travel without charge by any conveyance running under contract in connection with the mail service within such district.

Besides this, the privilege of franking through the Post Office and Telegraph Department, the latter within the Colony only, is accorded to Members without restriction during Session; but out of Session this regulation is so far modified as to require that the use of either shall be "On Public Service only" to which the Member taking advantage of the concession has to subscribe his name.

The telegraph service of Tasmania is owned by and is under the immediate control of the Government, so that no difficulty arises in connection with this privilege.

Henry Dobson.

Enclosure 2, in No. 12.

TASMANIA.

Anno Quinquagesimo-Quarto Victoriae Reginae.

No. 20.

A.D. 1890.

AN Act to provide for reimbursing Members of the Legislative Council and House of Assembly their Expenses in relation to their attendance in Parliament.

28 November 1890.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Interpretation.

1. In this Act—

"Member" means a Member of the Legislative Council or House of Assembly, as the case may be.

Members of Parliament to be reimbursed their expenses.

2. Every Member, except as hereinafter mentioned, shall be entitled to receive reimbursement of his expenses in relation to his attendance in the discharge of his Parliamentary duties at the rate of One hundred Pounds per annum, and such reimbursement shall be payable out of the Consolidated Revenue Fund to every such Member from the time of his election until his resignation or his retirement by effluxion of time or the dissolution of the House of Assembly, as the case may be, anything contained in any Act to the contrary notwithstanding.

Conditions upon which payments to be made.

3. No payment shall be made in any year under this Act to any Member until such Member shall have attended, if a Member of the Legislative Council, 20 sittings, and, if a Member of the House of Assembly 20 sittings of the Council or Assembly, as the case may be, and shall have made a Declaration upon honour, to be filed in the Treasury, that he has attended the number of sittings required by this section.

Members not entitled to reimbursement in certain cases.

4. No Member whilst in receipt out of the Consolidated Revenue Fund of an official salary or any annual payment shall (to the amount of such salary or payment) be entitled to receive such reimbursement as aforesaid.

Commencement of Act.

5. This Act shall come into operation and take effect immediately on the assembling of the next Parliament for the dispatch of business.

Enclosure 3, in No. 12.

TASMANIA.

Anno Quinquagesimo-Quinto Victoriae Reginae, No. 29.

AN Act to amend "An Act to provide for reimbursing Members of the Legislative Council and House of Assembly their Expenses in relation to their Attendance in Parliament."

A.D. 1891.

10 November 1891.

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1. Section three of the Act of the Parliament of Tasmania, intituled, "An Act to provide for reimbursing Members of the Legislative Council and House of Assembly their expenses in relation to their attendance in Parliament," 54 Victoriae, No. 20, is hereby repealed, and in lieu thereof the following shall be and be deemed to be and may be cited as Section Three of the said Act; that is to say :—

Substitution for
Section 3 of
54 Vict. No. 20.

"The amount payable per annum to any Member under the provisions of the said Act shall be paid to him in Two equal sums of Fifty Pounds each, and one of such sums shall be paid to him as soon as he shall have attended Twenty sittings of the Legislative Council or the House of Assembly, as the case may be, and the other of such two sums shall be paid to him at the end of the Session of Parliament in each year during the period that such Member shall continue to be a Member of the Legislative Council or House of Assembly, as the case may be : Provided always, that if any Member shall die, or resign, or otherwise cease to be a Member of Parliament after he has received one of such two sums in any year and before he has received the other such sum payable in the same year, his successor shall be entitled to receive only the second of such two sums payable in that year."

Enclosure 4, in No. 12.

TASMANIA.

Anno Quinquagesimo-Sexto Victoriae Reginae, No. 9.

AN Act to provide for the Reduction of the Salaries payable to the Responsible Ministers of the Crown, for the Reduction of the Reimbursement of the Expenses of Members of Parliament, and for the Reduction of the Amount payable to the Council of the University of Tasmania, for the Year 1893.

A.D. 1892.

[25 November 1892.]

Whereas it is expedient and necessary, for the year 1893, that a reduction be made in the Salaries as fixed by Law to be paid to the Responsible Ministers of the Crown, and in the Reimbursement of the Expenses of Members of Parliament, and in the amount payable to the Council of the University of Tasmania ;

PREAMBLE.

Be it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1. In lieu of the salaries mentioned in the Schedule to the Act of the Parliament of Tasmania, intituled, "An Act to fix the Salaries of the Responsible Ministers of the Crown," there shall be paid and applied out the Consolidated Revenue Fund for the year 1893, as the salaries of the persons holding the offices named in the Schedule hereto, the sums set opposite such offices in the Schedule hereto ; and the provisions of Section Thirty of the Constitution Act shall be applicable in respect of such sums in the same manner as if they were inserted in Schedule B. of that Act instead of the sums therein specified as Salaries in respect of certain of the said offices.

Salaries payable
to Ministers.
46 Vict. No. 9

Reimbursement of
Members of
Parliament.

2. Notwithstanding anything to the contrary contained in the Act of the Parliament of Tasmania of the 54 Victoriae, No. 20, every Member of the Legislative Council and House of Assembly, except as mentioned in the Fourth Section of the said Act, shall, for and during the year 1893, be entitled to receive the sum of Seventy-five Pounds only as reimbursement of his expenses in relation to his attendance in the discharge of his Parliamentary duties, and such amount shall be payable to Members in Two sums of Thirty-seven Pounds and Ten Shillings each, subject to the conditions contained in the Act of the Parliament of Tasmania of the 55 Victoriae, No. 29, notwithstanding anything to the contrary in that Act contained.

Appropriation for
Council of University. 53 Vict. No. 41.

3. In lieu of the sum of Four thousand pounds appropriated by the Twenty-second Section of "The Tasmanian University Act," to be paid by the Treasurer to the Council of the University in each year, there shall be paid in, and for the year 1893, the sum of Three thousand pounds.

SCHEDULE.

	£.
Attorney-General - - - - -	700
Chief Secretary - - - - -	700
Treasurer - - - - -	700
Minister of Lands and Works - - - - -	700

Provided that any person who shall, in conjunction with any Ministerial Office mentioned in this Schedule, hold the position of Premier, shall be entitled to receive an additional 200*l.* per annum during the time he continues to hold such position as Premier in conjunction with a Ministerial Office.

PAYMENT OF MEMBERS.

RETURN showing, with respect to the Colonies of Great Britain, the United States of America, and the Countries of Europe, whether PAYMENT OF MEMBERS of the Legislature obtains, the Amounts or Scale of such Payment, and whether it includes, or whether there is in addition thereto, any Allowance for Travelling Expenses, or the privilege of free Passes on the Railways of those Countries.

(*Mr. Conynbare.*)

*Ordered, by The House of Commons, to be Printed,
8 August 1893.*

[*Price 4d.*]

388. *Under 4 oz.*

COMMERCIAL. No. 6 (1893).

RETURN

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OF

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IN SOME OF THE

PRINCIPAL CITIES OF EUROPE IN 1892.

*Presented to both Houses of Parliament by Command of Her Majesty.
April 1893.*

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Article.	Paris.	Lille.	Berlin.	Frankfort-on-Main.	Hamburg.	Vienna.	Buda-Pesth.	Prague.	Rome.	Florence.*	Brussels.
Beef—											
Prime ..	1s. to 1s. 4d.	1s. 5 ⁸ / ₁₆ d.	10 ³ / ₄ d.	9d.	11 ¹ / ₄ d.	8d.	8 ¹ / ₈ d.	7d.	8 ¹ / ₂ d.	9d.	10 ³ / ₈ d.
Medium ..	7 ¹ / ₂ d. to 10d.	11 ³ / ₈ d.	8 ⁵ / ₁₆ d.	8d.	9 ⁵ / ₁₆ d.	6 ¹ / ₂ d.	6 ³ / ₈ d.	7d.	6d.	7d.	8 ³ / ₈ d.
Inferior ..	..	7 ¹ / ₈ d.	6d.	7d.	7 ¹ / ₂ d.	AV. 7d.	4d.	6d.	..	5d.	6 ¹ / ₈ d.
Flour—											
First quality ..	2d. to 2 ¹ / ₂ d.	2 ¹ / ₄ d.	1 ³ / ₄ d.	2 ¹ / ₂ d.	2d.	2d.	1 ¹ / ₁₀ d.	2 ¹ / ₄ d.	2d.	2 ¹ / ₂ d.	1 ³ / ₈ d.
Second quality ..	..	..	..	..	..	1 ³ / ₄ d.	..	..	..	2 ³ / ₈ d.	..
Wheat-bread—											
White household ..	2d. to 2 ¹ / ₄ d.	1 ³ / ₄ d.	2 ¹ / ₄ d.	2d.	3 ⁷ / ₁₆ d.	1 ³ / ₄ d.	1 ¹ / ₁₀ d.	1 ¹ / ₂ d.	2d.	2d.	1 ¹ / ₂ d.
Second quality ..	..	..	..	..	..	..	..	..	..	1 ⁴ / ₈ d.	..
Third quality ..	..	..	..	..	..	..	..	..	..	1 ⁵ / ₈ d.	..
Potatoes—											
For human consumption ..	1 ¹ / ₄ d. to 1 ¹ / ₂ d.	7 ¹ / ₁₆ d.	1 ¹ / ₄ d. to 1 ¹ / ₂ d.	1 ¹ / ₂ d.	1d.	1 ¹ / ₂ d.	1 ¹ / ₄ d.	1 ¹ / ₄ d.	3 ³ / ₄ d.	1 ¹ / ₂ d.	1 ¹ / ₂ d.
Rice—											
For human consumption, without husk ..	2d. to 2 ¹ / ₄ d.	3 ¹ / ₂ d.	3 ¹ / ₄ d. to 3 ¹ / ₂ d.	2d. to 5d.	3d.	3d.	..	2 ³ / ₄ d.	2 ¹ / ₂ d.	2 ¹ / ₂ d. to 3d.	1 ³ / ₄ d.
Sugar—											
Good white lump, cracked or sawed ..	6 ¹ / ₂ d.	5 ¹ / ₄ d.	4 ¹ / ₂ d. to 4 ³ / ₈ d.	4d. to 4 ¹ / ₂ d.	4 ³ / ₄ d.	3 ³ / ₄ d. to 4d.	4d.	3 ³ / ₄ d.	7 ¹ / ₂ d.	6 ¹ / ₂ d. to 7 ¹ / ₂ d.†	4 ⁵ / ₈ d.
Coffee—											
Brazil or plantation, roasted and ground, without chicory or other coffee substitute ..	2s. 6d. (fresh roasted)	2s. 0 ³ / ₈ d.	1s. 4 ³ / ₄ d.	1s. 6d.	1s. 5d.	1s. 8 ¹ / ₂ d.	1s. 5 ¹ / ₂ d. (raw)	1s. 8 ³ / ₄ d.	1s. 11d.	1s. 10d. to 2s. 3 ¹ / ₂ d.	1s. 2 ³ / ₈ d.‡

* N.B.—The rate of exchange has been taken at 26 lire per £, as being the approximative average for the whole year (1892).

† Imported in the rough, and refined in Italy; the greater portion is stated to be “beet-root.”

‡ The coffee is chiefly imported from the Dutch Colonies; Brazil coffee is little or not used. The above price refers to coffee in the bean, ground coffee is not generally sold in Brussels.

Return showing the Average Retail Price per
Pound Avoirdupois of various Articles of
Domestic Consumption in some of the Principal
Cities of Europe in 1892.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. April 1893.*

COMMERCIAL. No. 5 (1893).

REPORTS

FROM

HER MAJESTY'S EMBASSIES

IN

AUSTRIA-HUNGARY, FRANCE, GERMANY, AND ITALY,

ON THE

CIVIL EMPLOYMENT OF SOLDIERS AND SAILORS ON COMPLETION OF SERVICE.

*Presented to the House of Lords by Command of Her Majesty,
March, 1893.*

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Reports from Her Majesty's Embassies in Austria-Hungary, France, Germany, and Italy, on Civil Employment of Soldiers and Sailors on Completion of Service.

AUSTRIA-HUNGARY.

No. 1.

Sir A. Paget to the Earl of Rosebery.

My Lord,

Vienna, February 1, 1893.

I HAVE the honour to transmit a despatch with inclosures from Lieut.-Col. Dawson, Military Attaché to this Embassy, relative to the measures taken in Austria-Hungary for granting civil employment to retired soldiers.

This system which, according to Colonel Dawson's report, is largely practised in this Empire, would appear to be attended with the best results, and, if I may be permitted to offer an opinion, would be peculiarly beneficial in countries where the conscription does not exist, as offering an additional inducement to good men to enter the ranks of the army.

I have, &c.,
(Signed) A. PAGET.

Lieut.-Col. Dawson to Sir A. Paget.

Sir,

Vienna, January 30, 1893.

In accordance with instructions I have the honour herewith to forward your Excellency a report on the measures taken in Austria-Hungary for granting civil employment to retired soldiers.

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A 2

Being aware that in this direction the system obtaining here, chiefly from want of funds, compares most unfavourably with that in Germany, I am anxious to show all that is done by the State for the welfare of the soldier, and I therefore append a report (inclosure 2) on the various advantages granted under certain conditions to men still serving.

I find the opinion generally expressed by the authorities here, that in Austria-Hungary not enough is done for the after-life of the soldier in order to tempt him to prolong his term of service. Here, as with all big powers (England alone excepted), it is not the inducement to enter, but to prolong the period of service that is required. Universal conscription provides a far larger contingent annually than the State Exchequer can afford to keep under arms, hence the introduction of the Ersatz Reserve; but how to keep good men in the ranks from whence to form a reliable corps of non-commissioned officers is the problem. Thus, all measures taken for the improvement of the soldier's condition are framed with this object, and it is distinctly laid down that the State does not concern itself about the future of men who only serve the ordinary term required by law. Hence, as prolongation of service is supposed to entail promotion, it will be seen that all rules for granting benefits to soldiers deal with non-commissioned officers and not with private soldiers.

The inducements held out to encourage men to prolong their term of service may be described under five headings.

1. "Dienst" premiums, or extra pay granted to non-commissioned officers while actually serving.
2. Special employment for non-commissioned officers.
3. Marriages of non-commissioned officers while serving.
4. Invalid or wound pensions and maintenance in State-supported asylums and hospitals.
5. Employment in civil life for retired non-commissioned officers granted by the law of April 19, 1872.

Inclosure No. 1 deals with No. 5; inclosure No. 2 deals with the other four headings.

Inclosure 1 contains—

- (a) The law whereby the civil employment is secured.
- (b) The measures taken to carry the law into effect.
- (c) The list of posts available.

From this it will be seen that well-behaved non-commissioned officers, after 12 years' service in the active army, have a claim to situations under the State or other similar appointments.

The list of posts shows a total of 59,641 at an annual cost of 27,824,566 fl. (2,318,714*l.*). Situations in military pay and registry departments are given exclusively to properly conducted non-commissioned officers; while of other situations, such as commissariat, accounts, building expenditure departments, also Military Geographical Institute, artillery, ordnance, and material

departments, only a certain proportion are given them, but in selection they are given the preference.

Thus the posts comprise two categories: those exclusively reserved for non-commissioned officers, and those in competing for which they are given the preference; and they are further divided into two classes, i.e., officials ("Beamte"), and servants ("Diener") posts; the former, of course, requiring a higher qualification, and in many instances an examination.

The average number of non-commissioned officers who yearly obtain posts under one of the two categories is 530, of which about fifty are "Beamte" posts. The right to claim a situation begins generally with the 32nd year, and always ends with the 45th year, and the majority of situations are granted to men not much over 32.

At the present moment over 2,400 non-commissioned officers in possession of the necessary certificates are serving with the active army with the hope of obtaining civil employment.

In addition to those mentioned, posts as lieutenant accountants ("Lieutenants Rechnungsführer") are granted at the rate of about 35 yearly to non-commissioned officers, who, with the recommendation of their immediate superior officer, have passed an examination and done 6 months' probationary service, even should they have no claim to a civil employment certificate.

Non-commissioned officers who possess the official ("Beamte") certificate can be created Landwehr District Sergeant within the dominions represented in the Reichsrath, and properly qualified non-commissioned officers can obtain posts in the Provost Marshal's Department, but no regulated salary is laid down for these officials.

The average number of non-commissioned officers who yearly attain the right to a certificate for civil employment is 650.

Turning to the effect of conscription on the country, it will be seen that the utmost care is taken by the State that, while keeping a hold over the whole manhood of the nation, they get the best article, and at the same time the ordinary avocation of the citizen is interfered with as little as possible. Every precaution is taken against damage to health and constitution during service. Thus, although liability for service begins only on January 1 of the year in which a man finishes his 21st year, service is often allowed at an earlier age in order that the man may the earlier complete his duty to his country and return to his civil occupation. It is, however, laid down that the State only accepts young men whose growth is fully developed, otherwise the hardships and exigencies of the Service may ruin a man's constitution and the State thereby suffer. Till 1888 a man who had completed his 20th year was liable for service, but in consequence of the slow development of the growth of the recruit it was thought best to postpone the liability one year, and this was laid down in the Law of 1889.

Throughout the whole of the Regulations with which this report deals can be observed the acknowledgment of the State to

the soldier who has served his country honourably. In proportion to the advantages gained by the State through the general training and education of the masses, so is the obligation acknowledged, and the efforts which are made to repay it are only limited by the funds at disposal.

While admitting the burdens entailed by universal service, its advantages in Austria-Hungary cannot be denied.

In an Empire divided into so many nationalities, the army becomes really the chief bond of union, the various elements being united in one common cause, and manœuvred under one common language.

The effects of 3 years' training on the ignorant and stupid peasant class enrolled from certain provinces is marvellous, and the difference between the rough, ungainly lad who joins at 21 and the man who passes into the reserve at 24 can only be really appreciated by the regimental officers under whom he serves, from many of whom I have personal assurances on the subject. When it is remembered that it is only the most ignorant class who fulfil the full term of 3 years with the colours, while in proportion to his abilities a man can cut short his service, and, returning to his ordinary avocations, become a useful citizen to his country in other lines of life, it cannot be said that here universal conscription is a very irksome burden to those destined to succeed in civil occupations.

The relations between the army and the civilian population are of a most cordial nature in a country where, as regards military service, all are equally bounden. Such a thing as looking down on the soldier does not exist here. Hotel and restaurant keepers, theatre and other places of public amusement proprietors, even employers of labour, make no distinction between the soldier and the civilian, indeed, the latter are known to prefer old soldiers. In short, the uniform is under all circumstances here a passport to respect, consideration, and welcome.

The habits of discipline learnt during service, the healthy outdoor life and development of the manhood of the Empire by exercise and by regular food are acknowledged as a boon by nearly the whole community.

In conclusion, I beg to remark that such a condition of affairs is only possible where throughout the whole system good character is an absolute necessity. A good character here is essential for prolongation of service, and prolongation of service is essential to insure provision for old age. Hence the tacit, and in many cases even contented, acceptance of universal conscription by the great mass of thinking people, who, though they deplore and groan under the expense entailed, have learnt to look on it as a necessity which must be made the best of. In acknowledging the claims of the soldier who has served his country conscientiously the employer of labour is performing his part, while in taking care that none but well-behaved men shall remain in the Service the military authority reciprocates.

It seems to me that the problem before us is to provide for the man while in the Army Reserve. To do this we must offer to the employer of labour some compensation for possible loss in the event of the man being called away. We may in time convince the employer that wealth is only protected by power, and that his first solicitude should be an efficient army; in fact, that the interests of the army are identical with those of the nation.

Meantime, if we can insure that the best article only is recommended by the military authority for civil employment, we shall have gone a long way towards provision for the old soldier, coupled with a proportionate advantage both to State and private enterprise.

I have, &c.

(Signed) DOUGLAS DAWSON, *Lt.-Col.,
Military Attaché.*

Inclosure 1 (a).—Law of April 19, 1872, respecting the granting of Civil Employment to Retired Non-Commissioned Officers.

With the object of carrying out the intention of paragraph 38 "Wehrgesetz" of December 5, 1868, the following has been passed by both Houses of the Reichsrath, and received the Imperial confirmation:—

1. Non-commissioned officers who have fulfilled 12 years' service, of which at least 8 years as non-commissioned officer, in the active army, navy, or cadres and detachments of the Landwehr, and have conducted themselves well, acquire the claim to being employed under Government, also in the railways, steamship companies, and other undertakings that are subventioned by the State (paragraph 38 "Wehrgesetz"), service as acting non-commissioned officer will be allowed to count in the 8 years' non-commissioned officer service.

2. Those non-commissioned officers also acquire a like claim without reckoning length of service, who, before the enemy or while serving as police gendarmerie, &c., through being damaged in any way, become unfit for military service, always supposing they are capable of being employed in some civilian capacity.

3. In fulfilment of these claims there will be, for the non-commissioned officers mentioned in paragraphs 1 and 2:—

(1.) Certain posts reserved exclusively for them.

(2.) Other posts in the granting of which they will be given a preference over other competitors.

4. The posts reserved exclusively for non-commissioned officers are:—

(a.) All servants and lowers grade of inspectorship in the K.K. Bureaux, Courts of Justice, offices, penal and other establishments which either wholly or partly are maintained by the State.

(b.) Those posts mentioned in the category of office and hancery servants, classified as second class superintendents and raffic employés in the railways, steamship companies, and other undertakings subventioned or guaranteed by the State, which will either be shortly concessioned or are already concessioned, and which by their statutes, conditions of concession, or otherwise, are bound to take into consideration the employment of retired non-commissioned officers. These reservations of posts are made irrespective of whether the situation so reserved is permanent or temporary.

5. In filling up the post of officials ("Beamte") in bureaux of ordinary office clerks, in the Courts of Justice, offices, establishments, and other State undertakings, which will only be granted either to officials who are not already in receipts of a salary, or who are at the moment unemployed, the preference will be given over all others to such fully qualified non-commissioned officers as have a claim thereto. These non-commissioned officers also enjoy a similar preference in the conferring of posts in the K.K. civil constabulary and in the customs.

6. The list of reserved posts and the situations in the conferring of which non-commissioned officers enjoy a preference, is to be officially tabulated, kept up to date, and promulgated from time to time.

7. A certificate, issued by the War Ministry or Ministry of Defence, will be handed to the non-commissioned officers, who, in accordance with the law, possess the claim either to a post reserved for them, or in a preference for competing for other posts.

If a non-commissioned officer is qualified for the post of official ("Beamte") this fact must be stated on his certificate.

A list of certificates so granted has to be made, and report up to date, by the War Ministry of Defence.

8. Non-commissioned officers possessing claims must apply for reserved situations, also for those posts in bureaux or in the constabulary where they have a preference, to the office or establishment competent to grant the same.

These applications can be made direct in the case of the applicant having left the army, or in the prescribed manner by those still serving.

9. A non-commissioned officer having a claim may apply—

(a) For a particular post already vacant.

(b) For a post about to become vacant.

In the latter case the fact of his having applied is to be duly noted.

10. When there occurs a vacancy, either in a reserved post or in one where a non-commissioned officer has a preference, the fact has to be published by the bureau or establishment which has the power of conferring the post, and the limit of time allowed for the competition is to be stated, due notice being given to the War Ministry and Ministry of Defence.

No such publication need take place in the case of posts

vacant in the bureau and establishments mentioned in para. 4 (b) when applicants who have a claim thereto have already been registered as such, or if the post is being conferred upon such applicant.

11. All authorities, offices, and institutions who have the right to confer reserved posts, or such situations of officials or police constables in the granting of which non-commissioned officers have a preference, are obliged to register each application made to them for a post about to become vacant, and to hand to each applicant papers stating that they have so applied, and giving the number of applicants who have previously applied.

12. Each applicant must, in addition to the setting forth his claim (para. 7) give the necessary details as to physique and a special qualification for the service he seeks. Applicants must in all cases prove that they are citizens of the kingdoms and crown lands represented in the Reichsrath.

13. Reserved posts (para. 4) can be held only by non-commissioned officers having a claim thereto (paras. 1 and 2) except in cases where no qualified applicant has applied for them. The authorities mentioned in para. 11 are free to choose among qualified applicants as they see fit.

14. Reserved posts, within the meaning of the above paragraph, means those to which the lowest amount of pay is attached.

15. Each applicant having a claim has the right to lodge a complaint in case any reserved post or one where he has a preference shall have been filled up in contravention of the enactment of this law.

16. In case reserved post be conferred on a person not possessing a claim thereto, except in the case stated in para. 13, or, if posts such as are mentioned in para. 5, such as officials and police constables, are filled in contravention of the preference granted to certain non-commissioned officers, then the Ministry under whose control the authority or establishment so having conferred the post is placed can declare such appointment invalid and can direct the person so appointed to be dismissed. Such action cannot be taken through on the part of the Ministry if a period of one year has elapsed between the time of filling the post and the Ministry becoming cognizant thereof. If a post has been so filled in contravention of the provisos of this law by any of the establishments mentioned in para. 4, such action renders liable to a fine of 100 fl. to 500 fl., which sum is to be added to the charity fund of the district, and the plea that the filling of the post is lawful from the lapse of time shall not exempt from the fine.

17. The claim to a reserved post, or priority of claim in the case of officials' or police constables' situations, is forfeited in the following cases:—

- (a) By being voluntarily resigned.
- (b) If the candidate is convicted of such crime or misdemeanour as carries with it the loss of public and Government situations.

(c) Through candidates having passed the age of 45, and this only in the case of those situations the salaries of which are wholly or partly paid out of the State Exchequer.

(d) Through candidates having passed the age of 37 in the case of those situations which are not paid for by the State.

Whenever a claim is forfeited, this fact has to appear on the register (para. 7) on which vacancies are entered, the certificate granted being at the same time withdrawn from the holder thereof. In case of only part of the claim becoming void (para. 17 (d)), a remark to this effect has to be subjoined to the certificate and to the name of the candidate on the register.

18. All certificates granted to qualified persons, their applications in writing for reserved posts or for those where they have the preference, as well as all documents subjoined to applications for reserved situations, or to be placed on the candidates' register, enjoy immunity from stamp duties.

19. In granting concessions to railways and steamship companies destined to be worked in the interests of public traffic, care must be taken that the documents referring to the concession expressly represent the companies concerned as submitting to the enactments of this law.

20. The Imperial Decree of December 19, 1853, No. 266, becomes void, but the claims obtained under it remain in force, the persons enjoying them receiving the certificate as per para. 7.

21. The Minister of National Defence, in consultation with the other central departments concerned, is charged with executing this law.

Signed at Schönbrunn, April 19, 1872.

Inclosure 1 (b).—Order of the Ministry of Defence, dated July 12, 1872, in consultation with the other central authorities concerned, for carrying out the Law of April 19, 1872.

1. Certificates showing claims to posts are to be issued by the War Office or Ministry of Defence, according to the branch of the service to which the non-commissioned officer belongs.

2. Lists of posts to be referred to be found under Schedule (A) (see Appendix I).

3. Men actually serving obtain their certificates through their regiments, others through the nearest "Ergänzungsbezirks Commando."

4. Commanders or other authorities must send in lists according to Form (B) (see Appendix II), showing qualifications, physique, &c., of men qualified.

5. War Office and Defence Ministry to keep lists of all men duly qualified for such posts, all claims thereto being previously adjudicated by a Special Commission.

Those whose names are entered on the register as qualified, are to be provided with the certificates mentioned in para. 1, and which vary according to the grade of post applied for. These

are given on Forms (C), (D), (E), and (F) (for descriptions see Appendix III).

6. Those in possession of certificates, if still serving, to send in their application for vacant posts, or for registration for posts as they become vacant, through their commanding officer.

Those who have left the army apply for these posts direct.

The certificates of the latter must be accompanied (a) by one from the head of their commune as to character ; (b) by one from a doctor ; (c) by one from an employer as to their special qualifications for the post applied for.

In the case of those actually serving, similar certificates to be sent in by their commanding officers. The latter are bound to answer any questions relative to candidates which may be addressed to them by the institutes in whose gifts the posts are.

7. In case of any applicant asking for his name to be put on the register, or applying for any vacant appointment, his certificate and other documents must be returned to him after inspection.

8. Applicants granted posts receive the lowest rate of pay on entering, but those exceptionally qualified are at once advanced.

9. Institutions having vacancies in notifying to the War Office, as laid down in paragraph 10 of the law, must give a list of applications (if any) that have already been made. The notification is to be made on Form G (see Appendix IV).

Notices of vacancies occurring, with details thereof, are to be published in the regimental orders of the day.

The usual period before filling up a post is to be four weeks, but under exceptional circumstances 14 days.

10. A non-commissioned officer who is granted a post receives an order to take it up, and a decree conferring the post through the same channel by which he applied for it. Commanding officers are bound to allow a non-commissioned officer so posted to take his situation at once.

Men granted permanent posts who have fulfilled their term of service receive their discharge from the army ; others if temporarily posted are sent on furlough until they receive a permanent post, or else fulfil their term of service.

In the case of a man still on the active establishment, or in receipt of invalid pay taking up a post, the question whether he is to be permanently or temporarily discharged from the army, rests with the military authorities in conjunction with the intended employers.

11. For posts requiring a term of probationary service a non-commissioned officer on the active list is granted six months' leave, the ordinary army pay being given him if he receives no salary from his post during such probation. Non-commissioned officers applying for posts requiring an examination can be only granted leave to work during their 12 years' service.

12. Whenever a non-commissioned officer is granted a situation the office employing him has to give notice of the same to the Ministry of War or Defence. Lists of posts so given are

to be prepared by the War and Defence Ministries, and to be sent quarterly to all public offices concerned.

13. If any post is filled up in contravention of this law, an applicant thereby excluded can forward a complaint to the notice of the department empowered to deal with such cases or to the War or Defence Ministries direct.

14. All changes of quarters or garrison, or in the condition of life such as invaliding, discharge, &c., of claimants for posts at the time actively employed, to be notified to the Ministry concerned, and the future addresses of the men to be subjoined. On such a claimant taking up his residence in a district notice must be given by the military authorities under whose command he has been.

In the case of claimants no longer on the active list, a like notice has to be given with regard to the changes above mentioned, or in case of death by the "Ergänzungsbezirks" and Landwehr authorities to whose district the man belongs. It follows that the "Ergänzungsbezirks" and Landwehr authorities have a complete list of all retired non-commissioned officers residing in their district who have a claim for employment. Their register has to contain the name in full, rank, creed, branch of the service, and other details; also the number of the certificate, and whence issued, of every claimant.

The age limit for posts under Government being 45, and for certain other posts 37 (in both cases the age for entering on the post is meant), the fact of a claimant attaining the limits must be notified.

If a certificate is withdrawn this fact must be notified.

15, 16, 17. Treat of the forfeiture of certificates through conviction in a criminal court, lapse of certificates through death or age limit being passed renewal in case of loss, &c.

Inclosure 1 (c).—APPENDIX I.

Number of Posts.	Description.	Amount.	
		Fl.	kr.
408	K. K. Oberst-Hofmeister Amt— Places, at a cost of Salaries varying from 1,200 fl. to 420 fl. ..	264,520	00
18	K. K. Oberst-Kammerer Amt— Places, at a cost of Salaries varying from 800 fl. to 420 fl. ..	6,420	00
2	K. K. Obersthofmarschall Amt— Places, at a cost of	1,700	00
376	K. K. Oberstallmeister Stab— Places, at a cost of Salaries from 1,000 fl. to 250 fl. ..	248,780	00
16	K. K. Familien Fond-güter Direktion— Places, at a cost of	5,800	00
3	K. K. Privat und Familienfonds Direktion— Places, at a cost of	1,900	00
9	Kabinetts Kanzlei seiner k. k. Apostol. Majestät— Places, at a total cost of K. K. Ministerium des kais. Hauses und des Aussern—	8,350	00
295	Places, at a total cost of K. K. Reichs Finanz Ministerium—	143,719	00
19	Places, at a cost of K. K. Reichs Kriegs Ministerium—	15,150	00
501	Clerkships, at a cost of	298,994	00
315	Situations of servants, porters, &c. K. K. Gemeinsamer Oberster Rechnungshof—	139,080	00
7	Places, at a cost of (B.) K. K. Verwaltungs-Gerichtshof—	4,400	00
7	Places, at a cost of K. K. Ministerraths Präsidium—	3,400	00
18	Places, at a cost of K. K. Ministerium des Inneren—	8,100	00
8,464	Places, at a cost of Activitäts Zul	8,201,224	20
561	K. Ministerium für Kultus und Unterricht— Places, at a cost of	739,878	50
6,176	K. K. Justiz Ministerium— Places, at a cost of	172,026	00
13	K. K. Finanz Ministerium— Places, at a cost of	2,678,441	40
6,266	K. K. Handels Ministerium— Places, at a cost of	2,032,287	80
787	K. K. Ackerbau Ministerium— Places, at a cost of	2,997,100	00
68	K. K. Ministerium für Landesvertheidigung— Places, at a cost of	268,972	00
15	K. K. Oberster Rechnungshof— Places, at a cost of Erste ung. gal. Eisenbahn zugl. betreibführende Direktion der k. k. Dniester- und Tarn-Lelu- chower Staats Eisenbahn—	33,360	00
399	Places, at a cost of K. K. priv. Kaschau-Oderberger Eisenbahn Gesell- schaft—	6,467	50
126	Places, at a cost of K. K. priv. Staats Eisenbahn Gesellschaft—	100,626	00
2,526	Places, at a cost of	43,680	00
		677,606	40

APPENDIX I.—continued.

Number of Posts.	Description.	Amount.	
		Fl.	kr.
	K. K. priv. oest. Staats Eisenb. Gesellschaft Strecke - Chotzen - Braunau (d. Eisenbahn l. Chotzen Neusorge)—		
119	Places, at a cost of	41,040	00
	Rakonitz Protiviner Staats Eisenbahn—		
170	Places, at a cost of	51,912	00
	K. K. p. Südbahn-Gesellschaft—		
2,783	Places, at a cost of	1,238,674	00
	K. K. p. Südbahn-Gesellsch. (Istrian Staatsb.)—		
90	Places, at a cost of	28,300	00
	K. K. p. Aussig-Teplitzer Eisenb. Gesellsch.—		
127	Places, at a cost of	47,800	00
	Ungarische Westbahn—		
30	Places, at a cost of	12,900	00
	K. K. priv. Böhmishe Nordbahngesellsch.—		
232	Places, at a cost of	55,704	10
	K. K. priv. Böhmishe Westbahn—		
376	Places, at a cost of	119,180	00
	Ausschl. priv. Buschtehrader Eisenbahn—		
716	Places, at a cost of	69,839	00
	K. K. Dniester Staatseisenbahn—		
131	Places, at a cost of	61,486	00
	K. K. priv. Dux. Bodenbacher Eisenbahn—		
314	Places, at a cost of	104,063	00
	K. K. priv. Erzherzog Albrecht Bahn—		
212	Places, at a cost of	56,830	00
	K. K. priv. Galizische Carl Ludwig Bahn—		
291	Places, at a cost of	90,940	00
	K. K. priv. Graz Kofacher Eisenb. und Bergbau Gesellschaft—		
194	Places, at a cost of	73,683	80
	K. K. priv. Kaiser Ferdinands Nordbahn rücks der Lundenburg Grupbach Zellerndorfer Flugel- bahn und mähr. oehlesish. Nordbahn—		
365	Places, at a cost of	135,738	00
	K. K. priv. Kaiser Franz Josef Bahn—		
1,095	Places, at a cost of	165,365	35
	K. K. priv. Kaiserin Elisabeth Bahn (Sämmtliche Linien)—		
2,526	Places, at a cost of	774,796	00
	K. K. priv. Kronprinz Rudolf Bahn—		
2,053	Places, at a cost of	693,604	00
	K. K. priv. Lemberg-Czernowitz-Jassy Bahn—		
908	Places, at a cost of	190,091	30
	K. K. priv. mährische Grenzbahn—		
62	Places, at a cost of	16,717	80
	Mährisch-schlesische Central Bahn—		
76	Places, at a cost of	22,212	00
	K. K. priv. Pilsen Priesen (Komotau) Eisenbahn—		
38	Places, at a cost of	13,680	00
	K. K. priv. Prag-Duxer Bahn—		
178	Places, at a cost of	46,678	50
	K. K. priv. Südnorddeutsche Verbindungsbahn—		
592	Places, at a cost of	213,215	00
	K. K. priv. Oesterr. Nordwestbahn—		
1,808	Places, at a cost of	522,894	75
	K. K. priv. Turnau-Kralup-Prager Eisenbahn—		
171	Places, at a cost of	37,341	75

APPENDIX I.—continued.

Number of Posts.	Description.	Amount	
		Fl.	kr.
150	K. K. priv. Vorarlberger Bahn— Places, at a cost of	8,330	00
55	K. K. priv. Zittau-Reichenberger Eisenbahn— Places, at a cost of (Marks)	46,464	00
61	Dalmatiner Staats Eisenbahn— Places, at a cost of	20,940	00
	O. G. money in lieu of quarters	6,270	00
48	K. K. niederöstr. Staatsbahnen— Places, at a cost of	13,870	00
17	(C.) Königl. ung. Minister Präsidium— Places, at a cost of	8,200	00
7	Königl. ung. Ministerium um Allerhöchsten Hoflager— Places, at a cost of	2,350	00
98	Königl. ung. Ministerium des Innern— Places, at a cost of	31,417	00
6,057	Königl. ung. Finanz Ministerium— Places, at a cost of	1,821,011	00
	O. G. money in lieu of quarters	58,611	00
384	Königl. ung. Kultus und Unterrichts Ministerium— Places, at a cost of	83,635	20
	O. G. money in lieu of quarters	2,526	00
1,216	Königl. ung. Ministerium für Ackerbau Industrie u. Handel— Places, at a cost of	440,888	20
	O. G. money in lieu of quarters	3,796	00
514	Königl. ung. Ministerium für öffentliche Arbeiten und Kommunikation— Places, at a cost of	151,064	50
5,084	Königl. ung. Justiz Ministerium— Places, at a cost of	1,834,630	00
53	Beim königl. ung. Landesvertheidigungs Minis- terium— Places, at a cost of	19,750	00
9	Beim königl. kroatisch slawonisch dalmatinischen Ministerium— Places, at a cost of	4,450	00
12	Beim königl. ung. Staats Rechnungshof— Places, at a cost of	4,050	00
1,025	Königl. kroatisch slawonisch dalmatinische Landes- regierung und deren untersteh. Behörde— Places, at a cost of	314,253	94
	O. G. in lieu of quarters	18,808	00
108	Erste ung. galizische Eisenbahn zugleich betrieb- führende Direktion der k. k. Dniester und Tarnow-Leluchower Staatseisenbahn (unga- rische Strecke)— Places, at a cost of	29,073	40
323	K. K. priv. Ka-chau-Oderberger Eisenbahn Gesell- schaft (ungarische Strecke)— Places, at a cost of	68,786	15
1,421	K. K. priv. Oesterr. Staatseisenbahn Gesellschaft (ungarische Strecke)— Places, at a cost of	380,832	50
108	K. K. p. Südbahn Gesellschaft (ungarische Strecke)— Places, at a cost of	31,264	00
882	„ from 216 fl. to 720 fl.		

APPENDIX I.—continued.

Number of Posts.	Description.	Amount.	
		Fl.	kr
30	Ungarische Westbahn— Places, at a cost of	12,900	00
1,348	Königl. ung. Staatseisenbahn A. Nordliche, südliche, östliche Waagthal und Dalja Broder Linie— Places, at a cost of (B.) Bättaszek-Dombowár-Zákanyer (Donau Drau) Bahn—	588,522	00
50	Places, at a cost of	18,900	00
435	Ungarische Nordost Bahn— Places, at a cost of	124,380	00
	Theiss Eisenbahn Gesellschaft— No number fixed, but taken on as men are required. Nine different posts, salaries vary- ing from 700 fl. to 270 fl. and lodgings, or money in lieu, and other perquisites.		
4	Fünfkirchner Barzer Eisenbahn Gesellschaft— Portiers No number fixed, men taken on as required, salaries varying from 700 fl. to 250 fl., and quarters and other perquisites.	1,440	00
	Alfold Fiumaner Eisenbahn— No number fixed, men taken on as required, and salaries varying from 1 fl. 25 kr. to 70 kr. per diem. Other perquisites as clothing, &c.		
89	Erste Siebenbürger Eisenbahn— Places, at a cost of	35,806	00
59,641	Grand total of posts fixed at an annual cost of	27,824,566	00

APPENDIX II in Inclosure 1.

Description of Form (B), which can be sent in full if required.

Military commanders, &c., have to keep a register of properly entitled applicants reporting themselves, containing the following details:—

1. Whether the applicant seeks employment as an official, or in a minor capacity as servant, office messenger, &c.

2. A full description of all the necessary personalia relating to the applicant, both with regard to his past career as a soldier, and the special qualifications (educational, trades, &c.) which at the time of his application rendered him fit for a particular kind of employment.

Having regard to the polyglot composition of the various units of the dual Empire, stress is herein laid on the command of

different languages, whether colloquial, literary, or otherwise, which the applicant may possess; and as candidates, if obtaining employment with State-controlled institutions (railways, &c.), will sometimes have to satisfy stringent requirements as to physique (*e.g.*, as switchmen, guards, pointsmen, &c.), detailed reference to this subject must in every case be made in column set aside therefor, such reference being differentiated so as to make it obvious for what kind of post the candidate in his present condition of health is most fit.

3. A list of all certificates and testimonials, including good conduct, punishment sheets, school certificates, &c., which are kept with the register in corroboration of the above particulars, a specimen of the candidate's handwriting being appended in case of his being recommended for civil office duties, which in Austria absorb a large percentage of deserving non-commissioned officers.

APPENDIX III in Inclosure 1.

Description of Forms (C), (D), (E), and F, which can be sent if required.

Form (C) being a certificate for candidates not fit for situations as officials, but for other "reserved" posts, and who have not passed the age of 37.

The applications for posts for which the above certificates are required have to be made as already described, *i.e.*, through the ordinary channel as prescribed by the regulations of the service, or in case of applicants no more actually serving, they have to be sent to the institution in whose gift the situation is.

Each certificate to be accompanied by a testimonial signed by the head of the commune as to good conduct, and by a doctor's certificate as to physique. Any special qualifications for the post to be notified also.

All applications and documents free from stamp duty.

Form D represents the application of claimants who are considered fit for posts of officials, as well as for the lower "servants" posts.

Form E is for applications of such non-commissioned officers as have already passed the age of 37, and who have also qualified for posts of officials, &c.

Form F is for applicants of the same age as those who apply by Form E, but who are not qualified to hold posts of officials, but only the posts reserved for them, *i.e.*, the lower posts.

All the forms on which applications are made are dis-

tinguished by different colours, and to each certificate instructions are attached acquainting intending applicants with the principal provisions of the law which deal with this matter.

The instructions which are much the same for each form of certificate contain :—

1. Directions as to the documents which have to accompany the application.

2. The mode in which claimants can lodge a complaint in case posts such as are reserved for them have been granted to candidates not entitled to them.

3. Directions as to claims becoming void from different causes, such as resignation or conviction of a crime which entails loss of State or public appointments.

APPENDIX IV in Inclosure 1.
Form G.—Form of Publication of Posts Vacant, with Examples.

Description of Post to be filled.	Name of Authority where a Post has become Vacant.	Salary, Pay, &c., connected with the Post.				Whether there is required for the Post		Authorities, Institutions, &c., competent to deal with Applications.	Period in which Applications must be made.	Remarks.
		Salary.	Allowance for Quarters.	Emoluments.	Pay per Day.	Qualification required for the Post, Education, &c.	A Probationary Period, and for what Period.			
A post of pilot...	Naval District officer at Lussin Piccolo	Florins. 300	Florins. ...	Uniform given	Florins. ...	Italian language and as to appointment formerly held	...	... The passing of an Examination, and in what Subjects.	Six weeks, counting from May 28 inst.	
One pilot watchman ...	At Farsana ...	350	...	Ditto ...	...	Ditto ...	...	An examination to be passed showing the candidate to be acquainted with the Regulations	Six weeks, from May 21	
Four posts temporary as Post Office servants	General Post Office, Vienna	300	80	Ditto ...	...	Deposit of 200 fl. by way of caution money	Several weeks' practice; 80 kr. allowed per diem	...	Six weeks, from June 1	Post directions of Lower Austria

Inclosure 2.

The total number of non-commissioned officers in the Austro-Hungarian army serving in 1893 is as follows:—

Description.	Number.
Feldwebel und gleichgestellte	5,938
Zügführer	9,259
Corporal	18,712
Total non-commissioned officers ..	33,909

They are thus distributed:—

Description.	Feldwebel.	Zügführer.	Corporals, or Acting as such.
	Number.	Number.	Number.
Infantry and Jägers	3,154	4,927	11,445
Cavalry	850	1,565	2,709
Field and fortress artillery ..	909	1,594	2,711

I.—“*Dienst*” Premiums or Extra Pay for Non-Commissioned Officers while Serving.

This consists of extra pay according to the rank and pay of the recipient, which under certain conditions can be stopped temporarily or entirely. Premiums are conferred only for the period of one year, consequently each non-commissioned officer in receipt of a premium is free to leave active service at the expiration of the year. Each non-commissioned officer who remains voluntarily with the active army one year after he might pass into the reserve or Landwehr is entitled to a premium; also those who get transferred from the reserve to the active army. In the case of infants, the consent of parents or guardians to the man remaining must be obtained.

The average number of non-commissioned officers who were in receipt of premiums during the last three years is as follows:—

Description.	Number.
Feldwebel's premium	5,430
Zügführer	3,330
Corporal	1,880
Total non-commissioned officers ..	10,640

The amount given annually for service premiums is 1,800,000 gulden (150,000*l.*).

The rate of premiums is as follows:—

Description.					Per Annum.
					Florins.
Feldwebel und gleichgestellte (sergeants or ..					
acting as such*)	..	..	..	..	204
Zügfürhrer	..	..	..	..	168
Corporals..	..	..	..	..	114

* Thus sergeants receive about 17*l.* extra pay yearly; zügfürhrers, 14*l.*; corporals, 9*l.* 15*s.*

The amounts due are paid fortnightly, the 1st and 16th of each month.

The following are excluded from claim to premiums:—

(a) Cadet officers' substitutes.

(b) Cadets, unless they plead and prove poverty.

(c)

(d) Non-commissioned officers who, on the "Superarbitrings" examination (*i.e.*, for physique, &c.), are pronounced unfit for office or technical work.

(e) Non-commissioned officers drawing "Gagisten" pay, *i.e.*, temporarily paid as officers.

(f) "Frequentanten" of cadets and preparatory schools, and courses for farriers, shoeing smiths, &c.

Under ordinary circumstances, premiums are paid from January 1 in each year; but in case of mobilisation or any compulsory retention of the men on the active list, the War Minister fixes the date when such payments commence.

Every year at the "Urlauberwechsels" period (October), commanding officers have to ask those non-commissioned officers who are entitled to premiums whether they claim it. The names of those claiming it are entered on a form (see Form, p. 168, Taschen Ausgabe der Militär Vorschriften) containing a report on each man by his immediate commanding officer; and these forms are sent to the War Ministry. Here the number of claims is compared with the number of premiums available per branch of the service. In case of insufficiency of premiums, those who cannot be granted one are immediately dismissed.

The list of recipients of premiums is promulgated in the regimental orders.

A register is kept (Form II., Taschen Ausgabe der Militär Vorschriften, p. 169) to check the number of recipients, signed by the commanding officer, who is responsible that his men are qualified.

Premiums cease temporarily if that year of the reserve to which a man belongs is called out for training.

Soldiers who have served their full term of 12 years remain in receipt of the premium; soldiers in their eleventh and twelfth year receive it till the date calling out the non-active Landwehr,

when it is temporarily stopped. Premiums are also temporarily stopped for idleness, imprisonment, desertion, &c., and the amount thus saved is thrown into the general fund.

Premiums are discontinued for good when the recipient—whether from unfitness for active service or transference to a Government office or for any other cause—leaves the army, or in case of promotion to a rank prohibiting the claim thereto, or in case of imprisonment or punishment for misbehaviour.

An important paragraph with reference to premiums lays down that in no case can the premium be withheld for payment of debts in consequence of actions at law, or through the interference of the civil authorities.

II.—*Special Employment for Non-Commissioned Officers.*

The men of the Life Guard Infantry Company, the Trabanten Life Guards, and the Life Guard Cavalry Squadron, are composed entirely of retired non-commissioned officers.

At the headquarters of the military territorial troops, divisions, brigades, *Ergänzungsbezirks*, Platz Commandos, and such like, non-commissioned officers are employed as assistants (*"Hülfsarbeiter"*), but the fact of a man being granted one of these situations is not looked on as a special favour.

III.—*Marriage of Non-Commissioned Officers while Serving.*

A certain number of men are allowed to marry, and allowances made for maintenance of families, but this indulgence seems to exist chiefly on paper.

The marriages of non-commissioned officers are divided, for purposes of administration, into two classes.

The number of non-commissioned officers married in the first class is limited, and amounts to about 10 per cent. of the total number of non-commissioned officers actually serving in proportion to the peace strength laid down.

The allowances towards maintenance of families of non-commissioned officers married in the first class are given in paras. 122–126: *"Gebühren Vorschrift für K. u. K. Armee, I Theil."*

No calculation has as yet been made of the cost to the State of the non-commissioned officers' marriages in the first class, so I can unfortunately give no estimate of the expense.

The second class married non-commissioned officers derive no pecuniary assistance from the State, the indulgence granted being merely permission to marry. The number is limited in accordance with the requirements of the service.

IV.—*Pensions: Invalid or Wounded.*

These are regulated under the Law of December 27, 1875,

which makes provision for the personnel of the army, navy, and Landwehr.

The second chapter deals with non-commissioned officers, soldiers, and sailors.

Provision for invalid non-commissioned officers, soldiers, and sailors is of three kinds:—

- (a) Permanent or temporary invalid pensions.
- (b) Pensions on account of wounds.
- (c) Admission to a military hospital, asylum, &c.

Invalid pensions are granted to non-commissioned officers and soldiers who, whether consecutively or not, have served 10 years in the army, and who, in consequence of injuries received on service, and who thus are incapacitated for further military service, are entitled thereto. Inability to perform civilian duties does not preclude from this pension.

Men wounded in war receive this pension without the 10 years' service. The same applies to cases of blindness, mental derangement, &c., but here in all cases proof must be given of incapacity for civilian employment.

Non-commissioned officers serving 18 years or more have a claim to a permanent pension whether invalidated or not.

Temporary pensions can be granted to non-commissioned officers and men who, though for the time pronounced unfit for service (military or civil), are likely some time hence to be fit for employment.

In counting service for pension, only actual time of service with the colours will be considered, *i.e.*, time spent on furlough or in the Reserve (except when drilling or out for training) does not count.

The amount of pension granted is in accordance with the rank held by the recipient previous to his discharge.

Cadets wounded in the field, and therefore pensioned, are rated for pension as lieutenants and receive 300 fl. (25*l.*) yearly.

A non-commissioned officer or soldier in receipt of invalid pension, if granted employment in any of the posts to which they have a claim, loses his pension. Should he retire from the post he may resume his pension.

Wound pension is distinct from invalid pension; it is given irrespective of time of service, and is rated in accordance with the injury received. Thus, the minimum wound pension granted is 48 fl. (4*l.*); in case of loss of hand or foot, 96 fl. (8*l.*); or in case of loss of both limbs, 144 fl. (12*l.*).

Admittance into military hospital or asylum is granted—

(a) After 30 years uninterrupted active service (*i.e.*, with active army).

(b) In case of blindness or severe injury being sustained on service or in war.

(c) In case of imbecility, epilepsy, apoplexy, &c., if the man so afflicted cannot be taken charge of by his relations. After admission to the asylum, inmates have a claim to their pay (according to rank), board lodging, uniform, and tobacco.

In certain cases specified in paras. 91-94 of the Law, wounded pay is also granted.

Should a man instead of living at an invalid asylum prefer to draw the usual invalid pay to which he is entitled, he may claim the same as out-door relief, or, if so minded, he may commute his invalid pension by receiving a lump sum in compensation for his claim, such compensation amounting to 2 years' pay of that invalid pension which the non-commissioned officer on leaving active service has a claim to.

Non-commissioned officers are taken annually on to the invalid pension rolls in the following average proportions:—

(a) In consequence of being pronounced unfit for further service, 30.

(b) After 18 years' uninterrupted service, 60.

The cost of the 90 non-commissioned officers amounts to 34,000 fl. (2,833*L.*) per annum.

The total cost to the State for invalid soldiers amounts to about 970,000 fl. (80,833*L.*), which is distributed as follows:—

Description.	Amount.
	Florins.
Maintenance of invalid establishments ..	150,000
Granted under Imperial patent	482,000
Ordinary invalid pensions	338,000

The amount of the annual allowances given in pensions to invalided men of the K. u. K. army can be seen: "Beilagen des Militär Versorgungsgesetzes, 'Reichs Gesetz-Blatt XLIX,'" issue of 1875.

FRANCE.

No 2.

The Marquis of Dufferin to the Earl of Rosebery.

My Lord,

Paris, January 31, 1893.

I HAVE the honour to transmit to your Lordship herewith an interesting Report by Colonel Talbot upon the Civil Employment of French soldiers and sailors on the completion of their service.

Owing to the system of conscription existing in France, every Frenchman, with few exceptions, must serve under the flag, so that, as pointed out by Colonel Talbot, there is no necessity to hold out to recruits an inducement to enlist by the prospect of obtaining civil employment on leaving the service; but owing to the necessity of having well qualified non-commissioned officers, soldiers who have already attained this grade are tempted to re-engage, after the compulsory period of 3 years, by the special inducement, among others, of about 500 different descriptions of appointments being reserved for retired non-commissioned officers.

I have, &c.

(Signed) DUFFERIN AND AVA.

Colonel Talbot to the Marquis of Dufferin.

My Lord,

Paris, January 28, 1893.

In compliance with instructions I have the honour to give a short account of the manner in which civil employment under the State is guaranteed to soldiers who have accomplished a certain number of years' service in the French army. The same

system applies to French sailors who have a right, if qualified, to civil employment on the completion of their service.

The conditions of military service in France and England are so entirely different that no useful comparison as to the recruiting of the rank and file can be made. In France there is universal liability to serve, and therefore there is no necessity for creating inducements on entering, while serving, or on leaving, the service. In a country where every able-bodied man has to serve, obviously the great majority of employments in civil life are filled by men who have passed through the army; the ordinary labourer, artizan, and clerk is usually an old soldier, or more accurately, one who has passed through the ranks; and the same thing applies to the higher walks of life.

As regards the supply of non-commissioned officers (sub-officers, as they are called), for the French army, it more nearly resembles the conditions upon which the rank and file of the British army is recruited. In both cases men have to be induced by pecuniary or other advantages to give their services to the State.

Frenchmen cannot now be compelled to serve during peace in the active army for more than 3 years; a term evidently insufficient to provide sub-officers of age and experience. Such men are more than ever necessary, considering that more than one-third of the rank and file are recruits, and that there is no leaven of old soldiers.

Before 1889, when the present Enlistment Act, establishing 3 years' service, became law, there was a difficulty in retaining sub-officers in the army. The service was not popular, and the best men preferred to take their discharge and return to civil life.

It was therefore considered necessary to largely increase the inducements to re-engage, which may be briefly summed up: elasticity in the periods of engagement, substantial bonuses on re-engaging, and again on termination of engagement, increased pay, a pension after 15 years' service, increasing up to 25 years, and lastly, the certainty of a well-conducted man obtaining permanent employment under the State.

The result has been eminently successful, and the number of re-engaged sub-officers increased in 2 years (1889 to 1891) from 17,000 to 24,000, the limit allowed by law.

The terms of re-engagement are as follows:—

Periods of 2, 3, or 5 years, renewable up to 15 years' service, at which period a pension has been earned. After 15 years sub-officers may serve as "commissionnés" (which means that there is no fixed period of service contracted between the State and the sub-officers), up to 47 years of age, the pension increasing proportionately up to 25 years' service.

Sub-officers who have passed into the reserve are allowed to re-engage in the active army, provided it is within 3 years of their having left it.

The inducements are as follows:—

1. A bounty on re-engagement, varying with the period.
2. An increased rate of pay and an annual bonus.
3. A deferred bounty payable on termination of service, or on marriage, the proportion earned. In case of disability or death before expiration of engagement the proportion of bonus earned is payable to the man or his relatives.
4. A pension after 15 years' service, increasing year by year up to 25 years.
5. The right, if qualified, to be nominated to a State civil appointment. If there is no vacancy, a qualified sub-officer can continue to serve until appointed, or he may take his discharge, receiving not only his proportional pension, but a daily payment until appointed, making up his pension equal to what it would have been after 25 years' service.

When appointed to a civil office, a retired sub-officer receives the full pay of that appointment, in addition to his pension.

The sums receivable are :—

Description.						Amount.		
						£	s.	d.
Bounty on re-engagement for—								
2 years	..	..	..	..	..	9	12	0
3 "	..	..	..	..	..	16	0	0
5 "	..	..	..	..	..	25	0	6
Annual bonus	..	..	..	..	..	8	0	0
Extra pay per month besides lodging allowance—								
Up to 5 years, 7s., equal to ..	..	..	..	..	Per annum	4	4	0
5 to 10 years, 12s., equal to ..	..	..	..	..	"	7	4	0
10 years and after, 17s., equal to ..	..	..	..	..	"	10	0	0
Deferred bounty payable on leaving the service—								
2 years' engagement	..	..	..	..	..	24	0	0
3 "	..	..	..	..	..	36	0	0
5 "	..	..	..	..	..	60	0	0

The number of private soldiers who re-engage is so small that it is not worth while to give the details as to the conditions of service.

There are about 500 different descriptions of appointments reserved to retired sub-officers, some of which employ a great number of men, such as the lower appointments in the Post Office and in the customs. Appointments reserved to sub-officers are divided into four categories, for which there are necessary examinations :—

1. Requiring technical or special knowledge.
2. Requiring superior education.
3. Requiring primary education.
4. Requiring personal character only, with no examinations.

The limit of age is usually from 30 years upwards, but in some appointments there is none.

The numbers of probable vacancies in civil offices are pub-

lished periodically, and the names of successful candidates are also published half-yearly in the "Official Gazette."

It has been proposed to oblige the railway companies, by law, to employ old sub-officers; but this appears to be unnecessary, for the great majority are old soldiers, and preference is always given to a sub-officer applying for a situation for which he is qualified.

A large number of sub-officers are employed in the Municipal Police, but there is at present no obligation to take them.

The effect of military service upon the population, physically, is very apparent. After the first few months recruits gain in weight, the effect of regular food and meat (to which a considerable portion are strangers at home), while the gymnastic and military exercises develop their health and strength. As to the moral effect, it is more difficult to speak; but undoubtedly men, after service, return to their homes with greater self-respect, and improved by 3 years' discipline.

It is said that there is not much military spirit among the majority, and that they are only anxious to get through their duties passably, and are glad to return to their homes at the end of their military service; but this does not show that they have not become better qualified to perform their work and duties in civil life.

It cannot be said that military service is popular in the lower ranks of France, but it is considered as a duty to the country owed by every able-bodied man, which must be cheerfully performed.

For those who adopt the army as a profession, there are the non-commissioned ranks in which men get pay and promotion which would seldom, and with difficulty, be obtained in civil life.

There is considerable difference in the recognised position of a soldier in France and in England. In France, the uniform, whether worn by an officer or a private, is always treated with respect. No doubt this is owing in a great measure to the fact that every family has a member serving, or who has served, and also that men of all stations of life pass through the ranks; but it is still more attributable to the custom of constantly wearing uniform in public, and usually in private, by the officers as well as the men.

I have, &c.

(Signed) R. TALBOT, Colonel,
Military Attaché.

GERMANY.

No. 3.

Sir E. Malet to the Earl of Rosebery.

My Lord,

Berlin, January 3, 1893.

I HAVE the honour to inclose herewith a Report from Colonel Swaine on the system under which civil employment is guaranteed to soldiers and sailors in Germany on the completion of a certain number of years' military or naval service.

The question of adopting a system of this kind in the United Kingdom has already been the subject of attention in Parliament, and, as it is one of grave importance, I venture to draw your Lordship's special attention to Colonel Swaine's Report.

Being a civilian, I shall not be suspected of prejudice if I bear testimony to the wholesome effect which military training has upon the classes from which soldiers are drawn. In Germany this effect is constantly before one's eyes. In all branches of labour men who have served are preferred by employers on account of their habits of discipline and regularity.

It would be beyond the scope of the subject of Colonel Swaine's Report to urge evidence that the military system in Germany gives backbone to the Empire in the field of trade and industry in peaceful progress and prosperity, but it is allowable to deduce from what is patent here that if State employment in the United Kingdom were assured to soldiers of good conduct after the completion of a certain number of years of service, the general public would gain largely through the increased efficiency of the service in those Departments to which such soldiers were admitted.

I have, &c.

(Signed) EDWARD B MALET.

I HAVE the honour to give the following short account of the system under which civil employment is guaranteed to German soldiers and sailors of good character after completing a certain number of years' service; and I propose to add some remarks to show the advantages which are considered in this country to belong to this system, and which are equally applicable to an army enlisted voluntarily as to one enrolled by conscription.

All pensioning and providing for soldiers and sailors of the German army and navy was settled by an Imperial Decree in 1885, and is divided under the three following heads:—

1. The grant of a pension.
2. The issue of an employment certificate.
3. The admittance into an institute for invalids.

Non-commissioned officers and privates after 12 years' service with the colours, not counting double time that may have been given for war, who are sound in health, are entitled to and furnished with a civil employment certificate.

All posts in the Imperial and State Ministries and in the town and borough services, which are classed for sub and lower officials, are in first line reserved for those who hold this coveted certificate. All appointments are, in the first instance, on probation.

At the end of the trial period, which varies in departments, those not at once accepted revert for a time to the colours, or are allowed to go on furlough until a decision respecting them is arrived at.

Non-commissioned officers, leaving the service at the expiration of 12 years with the colours, to whom an employment certificate is granted, receive a service bonus of 50%. Such non-commissioned officers who, prior to actually leaving the colours, are detached to undergo their probationary term may be granted an advance, monthly or quarterly, on this bonus, provided the total is not exceeded. If at the end of the trial period the man is not at once accepted, but has to return to his colours, the bonus or portions of it are not paid a second time when he is finally given civil employment, but any unpaid part is then issued to him.

There are altogether 491 categories under which non-commissioned officers and men, who have done 12 years' good service, can obtain civil employment. Of these, 358 are exclusively reserved for the army and navy, and give a total of 92,345 places. In most of the remaining 133 categories one-third to one-half of the posts are reserved to old soldiers and sailors, but a few of them, especially such in which technical or some scientific knowledge is required, an examination is obligatory, and they may have to compete with the civilian element, and even, perhaps, with retired officers.

There is one hard and fast rule in connection with the places that are reserved as detailed above, and that rule is that none of the posts set aside for candidates provided with an "employment

certificate" may be given to others as long as the qualification of such candidates suffices.

Places which are partly only given to the services are filled in fair rotation of turn between the military and civilian candidates, irrespective of the numbers of each already holding such places; that is to say, if a vacancy occurs by a civilian being removed, he may be replaced by a military candidate if it is the turn for such a one to be admitted.

Individuals must apply through their immediate superiors to the heads of the particular departments in which they wish to obtain employment; but the appointing authorities are only obliged to accept such candidature if the individual can prove himself qualified for the post. When such is necessary, the candidate must be prepared to submit to an examination.

Promotion to higher places, and the advancement in these, is subject to the special regulations in each department. The "employment certificate" does not carry with it any right of preference to promotion or advancement.

The "employment certificate" becomes non-effective, and has to be given up, as soon as its possessor is retired to pension.

The offices which offer the most situations for civil employment to old soldiers and sailors are :—

In the Empire :—

1. The Postal and Telegraph Administration and Service.
2. The Admiralty.
3. The War Ministry in all its branches and departments.
4. The Railways.

In the separate Kingdoms and Principalities :—

1. The Police and Gendarmerie.
2. The Administration of Taxes and Customs.
3. The Railways.

It may be argued that, as almost everybody in Germany is a soldier, it is not surprising to find so many situations open to them; but it must be remembered that the 92,345 places are reserved exclusively to those who have served 12 years, and leave with a good character.

This system of giving civil employment to well-deserving old soldiers was started by the first King of Prussia in the early part of the eighteenth century. It was much encouraged by Frederick the Great and his two immediate successors, owing to the number of foreigners who in those years were accepted into the Prussian army, and to whom promises had to be made to induce them to serve. When, after the terrible defeat of Jena, Napoleon ordered Prussia to confine her standing army to 40,000 men, which led to the wise measure of conscription, and enabled this country rapidly to form a serviceable reserve, it was forced to select for its annual contingent the best and strongest of its youths for service with the colours; and in order to make this

palatable, and to recruit its army out of the best of its human material, it was necessary to offer such inducements to good behaviour as the State could grant.

It must not, however, be accepted that this proved successful at once. Many were the subsequent laws which dealt with this question, until the final one in 1885 welded the system into its present form; and thus it is seen that Prussia's Kings never ceased to consider and improve the lot and the future of the soldier who had served his country well and conducted himself like an honourable citizen.

It is the army and navy that gives the German his certificate of character. A well-conducted soldier and sailor, who passes into the reserve after his 3 years' service, is always sure to obtain employment. I have often seen advertisements for men in which the first essential has been "that he must have been a soldier." The great employers of labour infinitely prefer a man who has been schooled to discipline, regularity, cleanliness, and orderly conduct to youths who, for one reason or another, have become exempt from shouldering the musket.

The consequence is that there is, comparatively speaking, but little crime in the two Services. If the certificate of character which each individual receives on leaving his corps is not good, he knows well (1) that there will be little chance for him to obtain employment; and (2) that he could not again show his face at home, for even his own family would turn their backs upon him, and if he deserts his name is placarded up on every public building in his native village as a disgraceful act to King and country.

I have seen it stated that the great employers of labour in England object to engage reservists, because if at any time we were involved in a serious war they might find themselves suddenly denuded of a certain number of hands. But surely they forget to realise that, if such an event were to happen, the very fact of a war would curtail work in the large factories, and diminish the amount of railway traffic that is going on during a period of profound peace.

But in such questions it is necessary to consider only what advantages would accrue to the State, and the State alone is the judge of this. Patriotism is a big word, and it would be well for every country if its value were fully appreciated, but unfortunately it is a commodity taxed by the effect it has on the pockets of private individuals. The State alone must therefore take the initiative, and, as in the question now before us, must prove by its own actions the advantages derived from them to the country at large.

In an army enlisted as ours is we must make sure not alone to obtain the requisite number of recruits annually, but that they should be of the very best the country can produce; and with this in view the army and navy must in first line look to the State for such advantages and encouragements which it can offer. That was the fundamental principle on which Prussia started.

A great deal towards obtaining throughout a better class of man for the Services would be gained if it were possible to set aside in all Government offices, in the museums, and wherever else the State has the power to do so, as many posts as possible to be exclusively given, the higher ones to non-commissioned officers after 12 years' service, and the lower ones to soldiers and sailors after 7 years' service, who have served their country well and leave with a good character, giving some advantages also to those who have been invalided from the Services through no fault of their own. By this act alone much will have been accomplished to induce the best men to enter the Service; and the employers of labour would then soon enough understand how much it would be to their advantage to follow suit, especially as they could offer better terms than any Government to obtain the best reservists.

But there is another point to consider. In the last year of a man's service I noticed when in command of a battalion how unsettled he became. He began to think of his future, and was fidgeting about in all directions to ensure obtaining employment on leaving. The German soldier has no such fear. He knows that his King is grateful to him for his service to the State, and that, as long as he conducts himself like a respectable citizen, employment of one kind or another will come to him as a natural consequence. An unemployed old soldier is an unknown article in this country, unless he has been discharged with a certificate of character that ranks him as a vagabond.

And yet one point more. No man in this country is allowed the honour of wearing the King's uniform who has been in prison or who cannot give a satisfactory account of himself since he left school. It would seem a matter for consideration whether, if adopted by us, this would not tend to improve the general character of our soldiers and sailors, and eventually of the nation at large, and aid materially in reducing fraudulent enlistments.

Although I am strongly averse to adopting everything German, there seems no reason why we should not annex those institutions which have proved so beneficial. By improving the character of the army and navy, by offering advantage and a future comfortable existence to those who pass through the Services and leave with a good character, the State would not alone add to the character of the nation, but also to its health, strength, and love for order and regularity.

I T A L Y .

No. 4.

Lord Vivian to the Earl of Rosebery.

My Lord,

Rome, February 2, 1893.

I HAVE the honour to inclose an interesting Report by Colonel Slade, Military Attaché to this Embassy, showing—

1. The important effect of the conscription on the political, social, and moral development of the Italian people.

2. The working of the system under which civil employment is guaranteed to all Italian non-commissioned and petty officers of the army and navy on their discharge, after a certain term of service, with a good character, and a certificate that they are qualified for such employment.

If, as I am told, the effect of this system is to popularise service in the army and navy among the classes from which they are recruited, to raise the moral tone and improve the efficiency of these services by attracting to them a better class of men, and holding out the strong inducement of a provision for life as the reward of continuous good conduct, and at the same time to provide a body of deserving men, trained to habits of order, sobriety, and discipline, for service in the Public Offices, without throwing any increased burden on the State, I cannot but think that, in view of the increasing difficulty of manning our volunteer army and navy, the possibility of applying such a system in the United Kingdom is worthy of serious study.

I have, &c.

(Signed) VIVIAN.

Colonel Slade to Lord Vivian.

My Lord,

Rome, January 31, 1893.

IN accordance with instructions received, I have the honour to forward a short report on the system of universal conscription

in Italy, and the employment of non-commissioned officers in Government offices on discharge after 12 years' service with the colours.

In looking at the question from a broad point of view, it will at once be allowed that in time of national danger, it is the duty of every able-bodied citizen to defend his hearth and home from the nation's enemy.

Hence, if this is allowed, it will be agreed that in time of peace it is the duty of the State to do its utmost to organise the manhood of the country in the manner most advantageous for the defence of its frontiers and sea-coasts in time of war, and to administer the military forces in such a manner as to obtain the best results with the least outlay.

In the European countries which have the disadvantage of being contiguous to one another, with land frontiers marked out by various coloured posts, universal conscription has been found indispensable irrespective of class, and rightly so, as in the future but little warning will be given, and the news of the outbreak of hostilities will burst without warning like a summer thunder-clap.

According to the Berlin correspondent of the "Times," dated the 12th of last December, he states that the numbers of the German army on a peace footing, inclusive of officers, represents 1·114 of the whole population, whilst in France the percentage amounts to 1·465, in Russia to 1·037, in Italy to 0·863, and in Austria-Hungary to 0·767.

Are these figures too large for the insurance of a country's power, position, and interests?

The adoption of universal conscription in Italy has increased its available military forces seven-fold in the last 20 years.

In 1868 the land forces represented 500,000 men; in 1878 it had increased to 1,212,620 trained men; in 1888 to 2,525,000; whilst in October, 1892, the land forces available for the defence of the country represented the following figures:—

PERMANENT ARMY.

Description.				Number.
With the colours ..	..	..	..	183,332
Reserves of 1st Line ..	..	..	..	636,612
Total ..	..	..	..	819,844

MILIZIA MOBILE.

Description.					Number.
Drilled men	..	..	..	..	552,065
Undrilled men	..	..	..	..	73,103
Total	..	..	..	..	625,168

MILIZIA TERRITORIALE.

Description.					Number.
Drilled men	..	..	..	..	676,354
Undrilled men	..	..	..	..	963,968
Total	..	..	..	..	1,640,322

showing a grand total, exclusive of officers, of 2,048,263 instructed men, and 1,037,071 enrolled but undrilled, and this large available force has been obtained by a mean expenditure during the last 12 years of 11,280,000*l.* sterling per annum.

These figures alone show the advantages of compulsory military service in time of war at a comparatively small outlay in time of peace.

The male population of Italy physically fit to bear arms are liable to compulsory military service between the ages of 20 and 39.

The following exemptions from service in the first and second category are allowed by law:—

1. Men under 5 feet '63 of an inch.
2. The only son of a father living.
3. The eldest son of a father whose second son has not attained the age of 12.
4. The eldest son of a father of 70 years and upwards.
5. The only grandson of a grandfather having no sons living.
6. The only or eldest son of a widow.
7. The only grandson of a grandmother having no sons living.
8. The first-born of orphans.
9. The only brother of unmarried sisters who are orphans.
10. The second or third of brothers who are orphans, when the eldest or second are suffering from permanent or incurable diseases.
11. The man who is liable for service the same year as his brother has joined, but who has drawn an inferior number.
12. To a brother who has already one serving in the permanent army.

13. To a brother who has lost one in the service of the country.

As a rule, brothers can be substituted one for the other. With a view of compulsory service not being too exacting, or bearing too heavily on the better class, or business men, lads are allowed to enlist for one year, paying a premium to the State of sums varying from 28*l.* to 40*l.*, according to the arm they join; but they must pass a qualifying examination for the rank of sergeant before being discharged to the reserve.

Convicts, men undergoing penal service, or in banishment for offences specified in the common Penal Code, are not admitted to military service.

The numbers of recruits allotted annually to the regular army are at present fixed by Parliament as 82,000.

In General Torres' Report for 1891, it appears that there were 365,026 men registered for enlistment in 1889.

Of this number, 82,000 were posted to the regular army, or first category; 22,782 to the *Milizia Mobile*, or second category; and 89,212 to the *Milizia Territoriale*, or third category; representing a total of 193,994 enrolled in the year 1889 as liable for military service, of which only 82,000 joined the colours.

The remaining 171,032 were exempted either from physical defects or exemptions permitted by law.

The benefits which universal conscription have conferred upon Italy are admitted on all sides to be general.

It has assisted to weld the interests of united Italy into one homogeneous whole, to bring about the introduction of a one and common language throughout the country, to break down the interests and jealousies of the small petty states which formerly existed, and to foster and cherish that love for King and Fatherland which is so necessary as an incentive to patriotism.

Crime is almost unknown in the Italian army. Men strive to obtain good characters on discharge, as on these depend their employment in after life.

Illiterate soldiers are taught to read and write, and return to their homes fully alive to the advantages of military service, as they bring a practical proof. It is generally accepted that to have served in the army is an advantage to a man seeking civil employment in place of a disadvantage, and I have known instances of masters preferring to employ discharged soldiers as indoor servants to civilian applicants, and why? simply because they have had the advantage of a good training in order, obedience, and discipline.

At Court all the old employes wear war medals on their breasts, which tends to show that their previous services have been no detriment to their welfare. It may now be asked how compulsory military service and education gradually extended throughout the whole country bears upon the moral character of the people, and what benefit Italy may expect from the system.

As a general remark, it may be said that whoever has watched

the progress of the Italian nation since her constitution as an independent united country has reason to be satisfied. It must be borne in mind that an immense work had to be done of merging into a whole element so totally different in moral and physical material, wealth, climate, temperament—almost representing different races joined together—bound by common aspiration to form an independent nation, a noble sentiment, but vague in itself.

Now, in a very great measure, this has been accomplished in the lower classes by the compulsory military service.

Recruits travelling through and along the peninsula, Sicilians, Calabrians, garrisoned in the northern provinces, Piedmontese and Venetians stationed in Naples and Palermo, have learnt and seen what their country really is.

Illiterate, rough in their habits, they were educated to good manners and sound manly feeling, taught to read and write. Carefully attended to by their superiors, they were gradually brought to understand and value the sentiments of duty and discipline, and after returning to their homes the effect of the education received could not but have a favourable effect and advantage on their children's education and in their civil life.

Italy's social and political redemption, it must be acknowledged, was effected through the army.

To obligatory military service the population was subject under their former rulers, with this difference, that Lombards and Venetians were sent over the Alps and made to serve for long years in Bohemia, Croatia, and other Austrian provinces under the rough stick of the Austrian sergeants. Neapolitan, Sicilian, and Tuscan soldiers were distrusted, and considered inferior to the Swiss regiments hired by the Bourbon Kings and Austrian pro-consulates of Central Italy.

On the other hand, term of active service was long in all armies, so the unlucky soldiers were lost to their families for many years and in the prime of life.

The profession of arms in those days was a rude one, and only meant to benefit and support absolute government and privileged classes.

All this is now changed: the private, on joining the ranks, realises that he is serving in the interests of his country, and that the duty is equally shared, irrespective of class or birth.

This feeling lightens the hardship of the short term he is called upon to serve with the colours, and the inconvenience he may be put to in after life of occasionally attending manœuvres or camps of instruction.

The Italian soldier—well fed, well clothed, well housed, well educated—is not a subject of commiseration, rather the reverse.

Under these circumstances, it must be allowed that universal military conscription has been a boon to Italy in place of a curse.

I now propose to touch upon the system under which civil

employment is guaranteed to non-commissioned officers of good character after completing 12 years' service with the colours in the Italian army, and provided they are furnished with a civil employment certificate by their last commanding officer.

The Laws bearing on this subject are those of 1883 and 1887.

The offices which are open to non-commissioned officers of the Italian army and petty officers of the navy, after satisfactorily completing 12 years' service with the colours, are the subordinate posts, such as ushers, messengers, caretakers, custodians, &c., in the following public offices:—

The Foreign Office.

The Home Office.

The Treasury.

The War Office.

The Admiralty.

The Department of Grace and Justice.

The Educational Department.

The Public Works.

The Department of Agriculture and Commerce.

The Mediterranean, and Adriatic, and Sicilian Railway Companies.

In the War Office and Admiralty, all the available posts are exclusively reserved for old soldiers and sailors, amounting in number to 2,285 in the former and 317 in the latter.

In the remaining public offices half of the appointments are reserved, or upwards of 4,645 posts.

In the railway companies, one-third of the available appointments, amounting to upwards of 1,700, are filled by deserving non-commissioned officers.

From the statistics of General Torres' annual report on recruiting it appears that, in the year 1889-90, 183 non-commissioned officers were given civil employment in the various Government offices.

Preference is always given to old soldiers seeking civil employment in other spheres who hold the necessary certificate, and in this Italy is rapidly following in the footsteps of Germany, where the State insures the welfare of her old soldiers in after life.

I have the honour to inclose a translation of the law of the 8th July, 1883, which treats of the status of non commissioned officers of the Italian Army.

I have, &c.

(Signed) JOHN RAMSAY SLADE, Colonel,
Military Attaché.

Law of July 8, 1883, affecting the Positions of Under Officers of the Italian Army.

(Translation.)

Humbert I, King of Italy :

The Senate and the Chamber of Deputies having approved,
We have sanctioned and proclaimed as follows :—

Article 1. Under-officers of the army are selected :—

(a) From corporals qualified for promotion after having served 18 months with the colours.

(b) From the pupils of the special instructive sections, and from those of other corps who have successfully passed the prescribed course for promotion to sergeant.

(c) From the cadets of the Military School or Military Academy who have failed to pass the necessary examination for appointment as a second lieutenant at the termination of the second or third course, provided the subjects failed in are not of a military nature.

The following are enrolled with the grade of sergeant :—

(d) Reserve officers who have resigned their commissions as laid down in Art. 7 of the Law, 29th June, 1882, No. 830.

(e) Those who in accordance with paragraph (d) of Art. 1 of the above-quoted Law were not appointed reserve sub-lieutenants.

(f) One-year volunteers who have passed the examination qualifying them for the grade of sergeant.

(g) Corporal-majors who on discharge from the colours are promoted sergeants.

Art. 2. The above-mentioned under-officers of paragraphs (a), (b), (c) of Art. 1 are liable to 12 years' service, five with the colours and seven on leave. During the first four years on leave they are enrolled in the reserve of the regular army, the remaining three in that of the *Milizia Mobile*. On the expiration of 12 years' service they are transferred to the *Milizia Territoriale*.

Art. 3. An under-officer, who may have been absent on leave, and provided the period has not exceeded two years, may re-enter the service provided he is not over 32 years of age. He must then engage for a term of five years to be exclusively spent with the colours.

At the termination of the first year he may, however, if qualified, be admitted to the three years' engagement, as laid down by this Law.

If admitted, he is released of his five years' engagement, and is placed on the same footing as the others.

Art. 4. After having served five years with the colours, as laid down in Art. 2, deserving under-officers may re-engage for a term of three years, at the expiration of which they may from year to year re-engage to complete 12 years with the colours.

The above re-engagements are sanctioned and controlled by the War Minister.

Art. 5. Should the under-officer at the termination of the first, second, or third re-engagement proceed on unlimited leave, as laid down in paragraph 2 of Art. 2, or should his re-engagement be cancelled, he will then be enrolled in the *Milizia Mobile* till the end of his term of 12 years' provisional temporary engagement.

Art. 6. During the first re-engagement extra pay, amounting to about 4*l.* 7*s.* 6*d.* per annum, is issued, which amount is eventually increased to 8*l.* 15*s.* 6*d.* during the successive engagements.

Art. 7. The date of service, and the respective right to the above extra pay, will commence from the 1st January of the year following the under-officer's re-engagement.

Art. 8. The under-officer forfeits his extra pay if suspended from duty.

The extra pay is also stopped if the under-officer is undergoing a course of instruction at a military school with a view of obtaining a commission.

Art. 9. Re-engagements, as mentioned in this Law, do not entitle the under-officer to a premium in cash. His account, on entering his first engagement, will, however, be credited with a sum amounting to 4*l.*

Art. 10. The under-officer who has completed 12 years' service with the colours is entitled as a right to a situation of, as a minimum, 36*l.* per annum in one of the Government offices, railway companies, or such other private establishments where Government may stipulate that situations should be reserved.

Art. 11. When the under-officer has finished his 12 years' service with the colours, he is by right entitled to receive in cash 80*l.* sterling as an indemnity.

The case stated in the following article is an exception to the above regulation.

The above sum is handed over to the under-officer when he quits the service.

If, however, he remains with the colours, the War Minister may authorise him to retain the above amount.

Under-officers of the transport services are, after having served 16 years with the colours, entitled to a further grant of 40*l.* in addition to the above-mentioned 80*l.*

Art. 12. An under-officer promoted to a sub-lieutenancy, after having completed eight years with the colours, is entitled to a gratuity of 20*l.*, with an additional 8*l.* for every year over eight years' service, but in no case shall the total amount of the gratuity exceed 80*l.*

Art. 13. To the re-engaged under-officer who is compulsorily retired before having completed his 12 years' service with the colours, and sso ineligible for a pension, a sum of 12*l.* for every completed year of re-engagement is granted.

Art. 14. The Military Chest has charge of all payments for extra premiums due on re-engagements, as well as the various gratuities stated herein.

The disbursement of the instalments due for pensions, mentioned in Art. 26, is likewise incumbent on the Military Chest.

Art. 15. The under-officer unwilling to enter the Civil Service, and preferring to remain in the army with the colours, may do so, if qualified and deserving, on the termination of his 12 years' service.

With this view he may enter into a series of one year's engagements, receiving an annual extra allowance of 14*l.* 12*s.* 6*d.* until he is discharged.

After 12 years' service the under-officer is entitled to be promoted to the rank of colour-sergeant. After 16 to that of sergeant-major, provided there is a vacancy.

In all cases they will receive the pay of the grade.

The under-officer who, on completing 12 years' service with the colours, fails to obtain employment in the Civil Service, may be retained in the army, in which case he will be entitled to all the emoluments, &c., due to those under-officers who have elected to remain in the army in preference to entering civil employment.

Art. 16. The War Minister will grant to under-officers, electing to remain in the army after the termination of their 12 years, every facility, provided they do not interfere with the interests of the service, and even the permission of marrying without the necessary legal dowry.

Art. 17. Above-mentioned under-officers employed in services usually filled by local clerks, or assistants, will eventually fill such posts as vacancies occur.

Art. 18. Under-officers' claims to pensions commence after 20 years' service with the colours, independent of age.

Art. 19. The reduction of under-officers can only be carried out by the War Minister in accordance with rules laid down by Royal Decree.

Art. 20. The employments and situations reserved for under-officers, as per Art. 10, are as follows:—

(a) All local clerks and assistants, engineers' assistants, office-keepers' attendants, caretakers, and similar posts, in all departments dependent on the War Minister.

(b) In all other public offices of the State one-half of the vacancies occurring in the posts of second-class clerks, store-keepers, hall-porters, custodians, messengers, &c., with salaries varying from 36*l.* to 48*l.* a year.

In the War Office situations of second-class clerks are all reserved to local clerks.

In the other State offices only half the appointments are reserved.

(c) In the railway companies one-third of the vacancies occurring among the clerks, caretakers, guards, &c., with salaries varying from 36*l.* to 48*l.* per annum.

The liabilities of the companies shall be specially noted in the covenants made with the associations working the railway lines.

A proportionate number of vacancies in the appointments mentioned in paragraphs (b) and (c) shall be allotted to petty officers of the Royal Navy who have completed 12 years' service,

preference always being shown to the same when a vacancy occurs in a Department dependent on the Minister of Marine.

Art. 21. Applicants for the situations above-mentioned are expected to possess the necessary qualifications to fill them.

Art. 22. In a special regulation which will be issued by Royal Decree, after having previously been submitted to a Committee of Members of the House of Senate and Chamber of Deputies, together with superior officers of the Civil Service, the number of vacancies to be reserved to under-officers of the army shall be fixed agreeable to Art. 20, and the rules for nomination to the situation shall also be therein stated.

Art. 23. Under-officers who are allowed to re-engage under the regulations of this Law, but who are eventually transferred to the corps of veterans and invalids during their term of service, shall be entitled to the extra pay they were receiving when transferred, and also during the time they remain with the corps.

Art. 24. Emoluments and extra pay as fixed by this Law cannot be alienated or sequestered.

Art. 25. The War Minister shall annually lay before Parliament, at the same time as the Budget, a statement of the appointments granted to under-officers during the preceding year.

Art. 26. The under-officer who, as ruled by this Law, has been provided with a situation in a railway or similar company, where by special covenant posts are reserved for under-officers, shall be paid from the Military Chest, on the termination of his first year of service, a bonus of 24*l.* as a pension quota for the 12 years spent with the colours.

If pension chests for the benefit of the personnel exist, the under-officers may pay into the chest a quota, proportionate to the number of years he has spent in the army, being within the proportionate limits of the payments made for the same number of years by his colleagues in the same administration.

Art. 27. Under-officers who are appointed to such posts shall be subject to the same discipline and regulations to which other employés of the same class are liable, including the rules and regulations regarding suspension and dismissal.

Art. 28. This Law shall come into force on January 1, 1884.

Special and Provisional Regulations.

Art. 29. Except that, as is laid down in Art. 18 and Art. 23, all other regulations as ruled by the present Law are not applicable to the under-officers of the Corps of Royal Carabinieri, of the Veteran and Invalid Corps, military penal establishments, discipline companies, remount establishments, bandmasters, and corps of armourers.

For the under-officers of the above services the previous regulations remain in force, including those regarding re-engagements with a gratuity, as stated in Art. 137 of the Law on Recruiting.

Such re-engagements are also applicable for the privates of the Carabinieri, and also for private soldiers of other branches of the services who are allowed to re-engage, although not under-officers.

Art. 30. With the exception of the Corps of Royal Carabinieri, all other under-officers shall be entitled to an increase of 3*d.* per diem in place of the annual gratuity of 6*l.*, which is abolished.

Art. 31. Under-officers re-entering the service under the stipulations of Art. 3, irrespective of the number of years they have served, shall not be allowed to be candidates for employment before they have completed 14 years with the colours.

Art. 32. The regulations as laid down in Art. 2, regarding the under-officers' term of service, shall be enforced on all those under-officers who may be promoted after January 1, 1883, or to those attached to instruction sections on the date of the proclamation of this law.

All other under-officers shall be liable to the usual contracts of service entered on.

Art. 33. All rights previously obtained on re-engagement with gratuity are maintained, with the exception of the case mentioned in Art. 36.

Art. 34. Under-officers actually serving with the colours without having re-engaged with a gratuity shall be paid monthly the difference between the increased pay mentioned in Art. 30 and the actual gratuity.

On the completion of their term of service the regulations of the present Law shall be enforced unrestricted; they may then re-engage for 1 year for 4 successive years, as laid down, with a gratuity of 4*l.*, and an annual allowance of 8*l.* 16*s.*

Art. 35. Under-officers re-engaged with a gratuity shall be paid the annual premiums as before, and monthly the difference between the increased pay and actual gratuity, as laid down in Art. 30.

On the termination of their re-engagement they may re-engage successively for 1 year at a time without extra pay, so as to entitle them to a pension or to a situation in the Civil Service. They will not, however, be awarded a post in the Civil Service until they have served 14 years with the colours, or until 2 years has expired after the termination of their re-engagement.

The under-officers who claim their discharge after 12 years' service with the colours may become candidates for civil employment, but at the rate of one-fifth of the vacancies.

Art. 36. Under-officers re-enlisted with a premium, or re-engaged with a premium, shall always have the option of being treated under the regulations established by this law; if so, they shall relinquish absolutely the privileges attached to the present enlistment or re-engagement, and then only will they be entitled to the extra pay fixed by this Law, and according to the year of service in which they are when they declare their option; they shall, in addition, be entitled to all the privileges laid down in /

the present Law for obtaining civil employment, claim to be pensioned, and payment of extra allowances.

Art. 37. An under-officer who retires, or is promoted to a sub-lieutenancy, and who is a creditor of capital due for re-engagements with a gratuity, previously obtained, or already settled, and similarly the under-officer enjoying a pension, shall have no claim to the indemnities mentioned in Art. 11, Art. 12, and Art. 13.

Under-officers, however, who have re-engaged under the present Law, shall be entitled to a gratuity of 12*l.* per annum for every year completed in such re-engagement.

Art. 38. The regulations stated above, and laid down in this Law, do not impair existing rights of applicants for civil employment before the publication of this Law, providing such claims do not imply a transfer from other administrations to the War Office.

We hereby decree that the present Law, duly sealed, be inserted in the Laws of the Kingdom of United Italy, and ordain that all concerned shall obey it as a Law of the State.

(Signed) HUMBERT.

(Signed) FERRERO, War Minister.

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DESPATCH

FROM

HER MAJESTY'S CHARGÉ D'AFFAIRES
AT BERLIN

INCLOSING A

GERMAN DRAFT BILL FOR THE PROTECTION
OF TRADE-MARKS.

*Presented to both Houses of Parliament by Command of Her Majesty.
February 1893.*

LONDON:

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Despatch from Her Majesty's Chargé d'Affaires at Berlin,
inclosing a German Draft Bill for the Protection of Trade-
Marks.

Mr. Trench to the Earl of Rosebery.—(Received September 24.)

My Lord,

Berlin, September 21, 1892.

I HAVE the honour to transmit to your Lordship herewith copies, with a translation, of a draft Bill for the Protection of Trade-marks, which was published in a supplement to the "Reichs Anzeiger" of the 24th ultimo.

This draft Bill is still awaiting consideration by the Federal Council, and may consequently undergo extensive alterations at the hands of that Council and afterwards in the Reichstag.

I have, &c.
(Signed) P. LE POER TRENCH.

Inclosure.

Draft of a Bill for the Protection of Trade-Marks (Germany).

(Translation.)

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SECTION 1. Any person desiring to employ a trade-mark in his business to distinguish his goods from those of others, may apply to have such mark entered in the Register of marks.

Section 2. The register is kept at the Patent Office. Application for the entry of a mark must be made in writing to the Patent Office. Every application must be accompanied by an indication of the nature of the business for which the mark is to be used, a specification of the descriptions of goods on which it is to be placed, and an exact drawing of the mark itself.

Further details connected with applications for registration will be subject to Regulations to be issued by the Patent Office.

A fee of 30 marks is payable for each application for registration of a trade-mark; for each renewal of such application, a fee of 10 marks. Should the first application fail to obtain a registration, 20 marks are returnable.

Section 3. The Register of marks shall contain—

- (1.) The date of presentation of the application;
- (2.) An indication of the nature of the business for which the mark is to be used, a specification of the descriptions of goods on which it is to be placed, and a drawing of the mark;
- (3.) The name and address of the owner of the mark, those of his agent, if any, and changes in the person, name, or address of the owner or his agent;
- (4.) Date of renewal of an application;
- (5.) Date of erasure of the mark.

The Register is open to public inspection gratis.

Every entry and every erasure is published in the official journal of the Patent Office. The Patent Office publishes at regular intervals lists of the marks registered or erased since the last publication.

Section 4. Entry in the Register is to be denied to trade-marks—

- (1.) Which are composed exclusively of figures, letters, or of such words only as go to describe the kind, date, and place of manufacture of the goods, their quality, destination, or conditions of price, quantity, or weight;
- (2.) Which contain home or foreign State armorial bearings, or the armorial bearings of any German town, commune, or other public Association;
- (3.) Which contain drawings of a scandalous nature, or which convey implications plainly opposed to notorious facts, and thereby conducive to misunderstandings;

- (4.) Which are essentially composed of indications, representations, or words which are of common usage within well-defined commercial circles for the species of goods for which this mark is destined, or for goods of an analogous character.

Marks which have been erased may not, for the term of two years from the date of the erasure, be registered afresh in the name of any other person than the original proprietor, for the same description of goods for which they were originally registered, or for goods of a similar character.

Section 5. If a trade-mark proposed for registration is found to be identical with one previously brought forward for the same or for a similar description of goods, by virtue of the Trade-Mark Law of the 30th November, 1874, or of the present Law, or sufficiently resembles the other mark to give reason to fear that they may be confounded in the course of trade, the Patent Office shall advise the applicant accordingly. If nothing further is heard from the applicant within a month's time following, the application shall be considered as withdrawn. If he adheres to his demand, the registration is to be effected, unless other reasons exist to the contrary. Thereupon the Patent Office shall give notice of the fact to the owner of the mark previously registered.

No claim to compensation shall spring from an omission to issue the notifications treated of in the first paragraph.

Section 6. The right accruing from an application or from the actual registration of a trade-mark devolves upon heirs, and is transferable either by contract or by testamentary disposition at a decease to other parties. The right can, however, only be transferred to another party along with the business to which the mark belongs. The transfer is to be noted in the register on the application of the successor to the right, provided the consent of the original proprietor be adduced in support thereof. If the original proprietor be dead, proof of the succession to the right must be given.

Prior to the noting of the transfer in the Register, the successor to the right cannot avail himself of the same on the ground of the entry in the Register.

Enactments and decisions of the Patent Office, involving a reference to the owner of a trade-mark, must always be addressed to the registered owner. Should it appear that the person in question is dead, the Patent Office may at its discretion either consider the reference as accomplished, or for the object of the reference may make a communication to the heirs.

Section 7. On the application of the owner, a mark may at any time be erased from the Register.

An erasure may be made on the initiative of the Office—

- (1.) When ten years have elapsed since the application for the registration of the mark, or since the renewal of the same.
- (2.) When it has been found necessary to refuse registration of the mark.

When the erasure is resolved upon independently of the owner, he must in the first place be advised thereof by the Patent Office. If he makes no rejoinder within a month after the notification, the erasure is to be proceeded with. Any rejoinder

he may make must be decided upon by the Patent Office. If the erasure follow upon the expiration of the ten years' term, it may be waived, provided that the owner of the mark, before the expiration of a month after receipt of the notification, and upon payment of a fee of 10 marks in addition to the fee for renewal, succeeds in claiming such renewal. In that case the renewal holds good from the date of the expiration of the previous term.

Section 8. A third party can move the erasure of a trade-mark—

(1.) If the mark has been already entered for himself in the register for the same or for a similar class of goods;

(2.) When the description of business to which the trade-mark in question applies is no longer carried on by the registered owner;

(3.) When there are circumstances to show that the essential part of the trade-mark does not correspond to the real character of the goods, and may conduce to deception.

A motion for erasure must be made in the shape of a complaint against the registered owner, or, in case he be dead, against his heirs.

If, before or after the bringing of the complaint a transfer of the trade-mark to another party has taken place, the decision in respect of the suit shall be equally effective, and of undiminished application as towards the successor to the right. The capacity of the successor to take a part in the legal process is subject to the corresponding provisions of sections 63-66, and 73 of the Civil Process Regulations.

In cases coming under paragraph (2), a demand for erasure may be addressed directly to the Patent Office, which is bound to notify the same to the owner. If the latter offers no opposition for a month after the notification, the erasure is to be effected. If he opposes it, it devolves upon the proposer of the motion to bring forward his demand for erasure by way of a complaint.

Section 9. Applications for registration of trade-marks, demands for transfers, and appeals against erasures, are to be disposed of by way of preliminaries and conclusions, in harmony with the procedure governing patent cases. Appeals against a decision rejecting a motion for erasure may be lodged with the Patent Office by the bringer of the motion, and appeals against a decision ordering an erasure, notwithstanding opposition, may be lodged by the owner of the mark, in both cases within one month after the receipt of notification.

Notifications of registration, transfer or erasure of a trade-mark must be given by means of registered letters. If a notification cannot be effected in Germany, it may be intrusted to the post in harmony with sections 161 and 175 of the Civil Process Regulations.

Section 10. On the demand of the Courts the Patent Office is bound to express an opinion upon cases involving questions of trade-marks, in the event of two or more experts giving different opinions in the course of a suit at law.

Section 11. The effect of registration of a trade-mark is to confer upon the registered owner the exclusive right to affix the trade-mark in question to goods, their packing-cases, or wrappings; to circulate the goods so stamped, and to place the mark upon business letter-paper, advertisements, notices, bills, or the like.

Section 12. The registration of a trade-mark constitutes no hindrance to any person to place, even in an abbreviated form, upon goods, their cases or wrappings, his name, firm, or address, or indications of the kind, date, and place of manufacture, the character or destination of the goods, their price, quantity or weight, or to employ the same in his business.

Section 13. If any one shall wittingly, or through culpable carelessness, stamp goods, their cases or wrappings, or business letter-paper, advertisements, notices, bills, or the like, with the name of another person, or of his firm, or shall illegally place upon the same a trade-mark enjoying the protection of the present Law, or shall circulate or expose for sale goods so illegally marked, he shall be liable in damages to the injured party.

If he shall have committed the offence wittingly, he shall be punishable with a fine of from 150 marks to 5,000 marks, or with imprisonment during a term not exceeding six months. A criminal prosecution can only follow upon a demand, which can be withdrawn at pleasure.

Section 14. If any one, without the consent of the other party, and with intent to defraud, shall affix to goods, their cases or wrappings, to business letter-paper, advertisements, notices, bills, or the like, any embellishment, ornamentation, or decoration which in interested circles are usually recognized as signs peculiar to

similar goods of another person, or shall with like intent circulate or expose for sale goods bearing such signs, he shall be liable in damages to the injured party, and be punishable with a fine of from 100 marks to 3,000 marks, or with imprisonment for a term not exceeding three months. The criminal prosecution can only follow upon a demand, which can be withdrawn at pleasure.

Section 15. If any one, with intent to create a misapprehension as to the origin or quality of the goods by means of an incorrect marking, shall affix to goods, their cases or wrappings, to business letter-paper, advertisements, notices, bills, or the like, the armorial bearings of a State or the name or armorial bearings of a place, commune, or other public Association, or shall circulate or expose for sale goods so marked with the like object, he shall be punishable with a fine of from 100 marks to 5,000 marks, or with imprisonment for a term not exceeding six months.

This clause only holds good in respect to foreign nations, in cases where it is certified by a notification inserted in the "Reichs-Gesetzblatt" that protection is afforded in the foreign country concerned against the fraudulent use of marks betokening a German origin.

Section 16. In the place of any compensation arising out of the present Law, there may be decreed at the request of the injured party a fine payable to him not exceeding 10,000 marks, in addition to the penalty. For this fine all the defendants who are sentenced to the same are collectively responsible.

Such a fine having been decreed, further claims to indemnification are barred thereby.

Section 17. When a Judgment has been pronounced based upon sections 13-16, the removal of the illegal marks must be directed in respect of all goods found in the possession of the defendant, or, if they are not removable in any other manner, the goods themselves so stamped must be destroyed.

When Judgment has been given in a criminal action, then, in cases falling under sections 13 and 14, the injured party shall be entitled to cause the sentence to be published at the expense of the defendant. The nature of the publication and the length of delay allowed are to be prescribed in the Judgment.

Section 18. The protection afforded by this Law is not barred by the existence of variations in any reproductions of foreign names, names of firms, marks, arms, and other distinguishing signs on goods, if there is danger, in trade, of mistaking (the reproduction for the original), notwithstanding the existence of the variations in question.

Section 19. In municipal suits, where claims are propounded by way of complaint or counter-complaint upon the strength of the present Law, the procedure and sentence in the last instance shall be left to the Imperial Court, in harmony with section 8 of the introductory Law to the Law of the Court Constitution.

Section 20. Whenever German goods, on their entry into or passage through a foreign country, are subject to the necessity of bearing a mark indicative of their German origin, the Federal Council may decree a like necessity to be imposed upon the foreigner's goods on their entrance into Germany for the inland or transit trade, and may order the confiscation of the goods in cases of contravention. The act of seizure can be left to the Customs and Excise authorities. The sentence of confiscation must be pronounced by the Executive authorities.

Section 21. If a person possess no home establishment, he can only lay claim to protection in the terms of the present Law for his name, firm, ware-marks, or other distinguishing signs upon his goods, in case that, in the State in which he resides, German trade-marks on goods can be shown by an entry published in the "Reichs-Gesetzblatt" to enjoy protection.

A claim to protection for a trade-mark and to the right accruing from registration can only be made good by an agent resident in Germany. He shall further be entitled to represent his principal in respect of the procedure established within the scope of the present Law, as also of any municipal suits affecting the trade-mark in question, and of demands to prosecute criminally. The place where such agent has his domicile, or, failing this, the place where the Patent Office is located, shall count, in satisfaction of section 24 of the Civil Process Regulations, as the place where the property qualification exists.

Any person applying for the registration of a foreign trade-mark is bound to show proof that he has fulfilled, in the country in which he is established, the required conditions to enable him to lay claim to protection there for his mark.

Section 22. The provisions of the Trade-Marks Protection Law of the 30th November, 1874, will continue to apply to marks entered in pursuance of that Law in

the Trade-marks Register until the 1st January, 1897. At any time up to that date these marks can be offered for registration under the terms of the present Law, to which they will thereupon become subject. Entry cannot be refused with respect to marks entered in the Register heretofore existing, by virtue of section 3 (1) of the Law of the 30th November, 1874. Such entry is made free of cost and at the date of the earliest application. A certificate from the former registrars must be adduced, respecting the tenour of the original entry.

The protection afforded to the trade-marks by virtue of the Law of the 30th November, 1874, expires simultaneously with the entry in the new Register, or, failing this, with the term ending on the 1st January, 1897. Until that date a demand for the erasure of a mark entered in the Register can, in pursuance of section 8 (1) of the present Law, be still founded upon the original application for registration made under the terms of the Statute of the 30th November, 1874.

Section 23. The provisions required for the execution of the present Law, in regard to the organization and working of the Patent Office, shall be decreed by the Imperial Chancellor.

Section 24. The present Law shall come into force on the

From and after that date, no further applications in regard to trade-marks, based upon the Trade-Marks Protection Law of the 30th November, 1874, can be accepted.

DESPATCH from Her Majesty's Chargé d'Affaires
at Berlin, inclosing a German Draft Bill for the
Protection of Trade-Marks.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. February 1893.*

LONDON:

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TURKEY. No. 1 (1893).

STATEMENT

SHOWING THE

SURPLUS OF HOSPITAL RECEIPTS

AT

CONSTANTINOPLE AND SMYRNA

From 1888 to 1893.

[In continuation of "Turkey No. 2 (1888)."]

*Presented to both Houses of Parliament by Command of Her Majesty.
September 1893.*

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STATEMENT SHOWING THE SURPLUS OF HOSPITAL RECEIPTS AT CONSTANTINOPLE AND SMYRNA FROM 1888 TO 1893.

RECEIPTS and Expenditure of the Constantinople Hospital from January 1, 1888, to March 31, 1893, and Number of Patients treated.

Period.	Foreign Office.			20 per cent. of Salaries for Non-effective Charges.			Office of Works.				Total Expenditure.			Hospital Dues and Receipts for extra Patients, and Sale of Medicines.			Surplus.			In-Patients.	Out-Patients.		
	Salaries and Wages.		Expenses.	£	s.	d.	Repairs to Buildings.		Estimated Rental and Insurance of Building.		£	s.	d.	£	s.	d.	£	s.	d.				
	£	s.					£	s.	d.	£												s.	d.
January 1, 1888, to March 31, 1889 (five quarters)	1,270	0	0	1,253	11	4	254	0	0	244	3	11	595	0	0	3,616	18	3	6,296	15	5	515	1,199
1889-90	1,007	4	2	1,008	1	4	201	8	10	177	18	7	476	0	0	2,870	12	11	3,881	15	5	347	1,061
1890-91	1,013	8	4	933	16	6	202	13	8	962	9	7	476	0	0	3,588	8	1	1,827	13	4	305	1,048
1891-92	963	2	3	767	10	8	192	12	5	149	3	11	476	0	0	2,548	9	3	963	6	1	248	978
1892-93	955	15	0	685	9	10	191	3	0	107	4	3	47	0	0	2,415	12	1	1,071	2	8	203	604
	5,209	9	9	4,648	12	8	1,041	17	11	1,641	0	3	2,499	0	0	15,040	0	7	14,040	12	11	1,618	4,890

RECEIPTS and Expenditure of the Smyrna Hospital from January 1, 1888, to March 31, 1893, and Number of Patients treated.

Period.	Foreign Office.			Office of Works.			20 per cent. of Salaries for Non-effective Charges.	Total Expenditure.			Hospital Dues.			Surplus.			In-Patients.	Out-Patients.								
	Salaries and Wages.		Expenses.	Repairs to Buildings.		Estimated Rental and Insurance of Building.		Total Expenditure.			Hospital Dues.			Surplus.												
	£	s.		d.	£	s.		d.	£	s.	d.	£	s.	d.	£	s.			d.							
January 1, 1888, to March 31, 1889 (five quarters)	426	16	3	332	5	0	85	7	3	31	8	7	262	10	0	1,158	7	1	1,737	2	2	578	15	1	50	205
1889-90	341	9	0	287	19	6	68	5	10	9	10	7	210	0	0	917	4	11	1,516	8	9	599	3	10	41	161
1890-91	341	9	2	348	13	8	68	5	10	5	15	3	210	0	0	974	3	11	1,196	16	8	222	12	9	51	145
1891-92	341	9	4	490	2	0	68	5	10	10	19	6	210	0	0	1,120	16	8	1,445	1	3	324	4	7	66	146
1892-93	341	9	4	679	3	9	68	5	10	6	1	7	210	0	0	1,305	0	6	1,498	0	4	192	19	10	62	129
	1,792	13	1	2,158	3	11	358	10	7	63	15	6	1,102	10	0	5,475	13	1	7,393	9	2	1,917	16	1	270	786

STATEMENT showing the Surplus of Hospital
Receipts at Constantinople and Smyrna from
1888 to 1893.

[In continuation of "Turkey No. 2 (1888)."]

*Presented to both Houses of Parliament by Command
of Her Majesty, September 1893.*

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